



**TOWN OF HARTFORD  
SELECTBOARD MINUTES**

Tuesday, June 30, 2020, 6:00pm  
Hartford Town Hall  
171 Bridge Street  
White River Junction, VT 05001

Selectboard meetings will resume in Town Hall with required distancing, total capacity of 25 persons (public body, staff and public), required COVID-19 screening for admission, and mask-wearing.

This meeting is livestreamed on <https://www.youtube.com/user/catv810> – click “live now”

**Present:** Dan Fraser, Selectboard Chair; Simon Dennis, Selectboard Vice Chair; Kim Souza Selectboard Clerk; Alan Johnson, Selectboard Member; Joseph Major, Selectboard Member; Brannon Godfrey, Town Manager; Lana Livingston, Administrative Assistant; Emma Behrens; Jef McDonough; Havah Armstrong Walther; Lori Hirshfield, Director of Planning and Development; Gail Ostrout, Director of Finance; Hannah Tyler, Director of Public Works; Lannie Collins; Sharon Miller-Dombroski; Kathleen Janisse.

**Telephone:** Alicia Barrow, Selectboard Member

**CATV LINK:** <http://catv.cablecast.tv/CablecastPublicSite/show/12355?channel=1>

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

**II. Pledge of Allegiance:** Selectboard Member, Joe Major led the Pledge of Allegiance.

**III. Local Liquor Control Board:** Selectboard Chair, Dan Fraser recessed the Selectboard meeting and opened the Local Liquor Control Board at 6:01 P.M.

1. Proposed Liquor Control Policy Amendment

The existing Town of Hartford Liquor Control Policy and application process requires applicants to list a complete history all charged violations by licensees, directors, owners, stockholders or for Liquor/Tobacco License

Violations including on licensee's premises and/or against employee. In March, the Hartford Local Liquor Control Board (LLCB) discussed the timeframe the violations should cover.

On June 16, the LLCB discussed a policy revision. After discussion, the LLCB directed staff to bring back a revised Policy for adoption on June 30 that: 1) leaves unlimited by time the requirement for new license applicant to list the history of charged violations, excluding any while under the age of 18; and 2) sets a limit of three (3) years that renewal applicants must list the history of charged violations, excluding any while under the age of 18.

**Selectboard Member, Alan Johnson made the motion to approve the revised and amended Local Liquor Control Policy. Selectboard Member, Joe Major seconded the motion. 5 were in favor and one (Fraser) Abstained. The motion passed.**

Selectboard Chair, Dan Fraser closed the Local Liquor Board and reopened the Selectboard Meeting at 6:11 P.M.

**IV. Order of Agenda:** Selectboard Vice-Chair, Simon Dennis let everyone know that F.X. Flinn withdrew his application for the Selectboard Position. There is also an added application from Havah Armstrong Walther that came in past the deadline but the board will still consider. He also suggested going into Executive Session directly after the interviews to discuss and appoint a new Selectboard member.

## **V. Selectboard**

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

**Citizen comments:** No comments.

**Selectboard comments:** Selectboard Member, Kim Souza recommended returning to Zoom meetings. This would be after the July 2<sup>nd</sup> meeting which will be held at Town Hall. Selectboard Chair, Dan Fraser disagreed and preferred the Town Hall meeting where the citizens can come and participate in the meeting. Citizen, Lannie Collins agreed with Kim Souza and said it was much better involvement when people could connect with Zoom and participate from home. Selectboard Member, Joe Major wants the safest way to conduct the meetings which he sees as Zoom meetings. We are still in the middle of a pandemic and a safe way to conduct a public meeting is with Zoom. There was a consensus to go back to Zoom meetings starting July 14<sup>th</sup>.

Selectboard Chair, Dan Fraser announced that Brad Goedkoop, Hartford's Tree Warden, will be leaving the position that he has held for 17 years. He

has served tirelessly for many years and was very dedicated.

Also, the White River Rotary donated \$10,000 to the dairy farmers so the milk produced would not be dumped.

## 2. **Appointments:** Interview Selectboard Applicants

The following Applicants were interviewed: Emma Behrens, Jef McDonough and Havah Armstrong Walther. The decision will be made in Executive Session.

**Selectboard Vice Chair, Simon Dennis made the motion to go into Executive Session for Discussion of the appointment of a Selectboard member to fill the vacant seat under the provisions of Title 1, Section 313(a)(3) of the Vermont Statutes. Selectboard Clerk, Kim Souza seconded the motion. The motion passed at 6:49 P.M.**

**Selectboard Clerk, Kim Souza made the motion to close the Executive Board meeting at 7:28 P.M. Selectboard Member, Joe Major seconded the motion. All were in favor and the motion passed.**

**Selectboard Vice Chair, Simon Dennis made the motion to appoint Emma Behrens to the Selectboard for a term ending March 6, 2021. Selectboard Clerk, Kim Souza seconded the motion. All were in favor and the motion passed.**

The Board had a difficult decision to make as all the applicants were qualified and great candidates. We hope they will volunteer for a town commission, board or committee.

## 3. **Town Manager's Report:** Significant Activity Report ending June 29, 2020.

**Link:** <https://www.hartford-vt.org/ArchiveCenter/ViewFile/Item/188>

Kim Souza reminded and urged everyone that mail-in ballots are available at the Town Clerk's office for the August election.

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

- a. Financial Report for April & May 2020 (Information Only)  
Submitted by Gail Ostrout, Finance Director.

Revenues and expenditures through May 2020 for the General Fund and Enterprise Funds were summarized and presented.

We are 11 months into the 2020 budget. As a whole the Town is within the expected glide path of 92%.

- b. Cornerstone Community Center – VDCP Planning Grant Discussion (Information Only) Submitted by Lori Hirshfield, Director of Planning and Development.

The Cornerstone Community Center (CCC) is pursuing renovation of the former Elks Club building located at 14 Elk Street in Hartford Village. When completed, it will be a multiuse facility with programming for children, adults, and older citizens from diverse socioeconomic backgrounds. The CCC's proposal is to complete building renovation to create a space that is safe and accessible for everyone, and meets licensing standards. The improvements also are intended to preserve this historic building that is listed as a contributing structure in the Hartford Village Historic District. Initial renovation plans indicate approximately \$500,000 in facility and campus improvements.

The CCC is proposing a \$60,000 VCDP Planning Grant to complete an Impact Standards and Feasibility Study needed for a future implementation grant; identify other sources of funding for project implementation; complete a Phase One Environmental Site Assessment; complete a project Environmental Review; and identify any environmental work that would need to be done with project implementation. Attached is more detailed project information provided by the CCC.

The CCC is requesting Selectboard support to proceed to a formal public hearing to determine if the Town will submit a VCDP application to the State. To meet federal public notice requirements, the earliest SB meeting date would be July 28, 2020. The next VCDP grant submittal deadline is November 5, 2020. Completing the grant application, implementing the Planning Grant and meeting all local, federal and state requirements would be the responsibility of the CCC. The Town would have some grant administrative functions.

**MOTION: Selectboard Vice Chair, Simon Dennis made the motion to Hold a public hearing to determine if the Town should submit a VCDP Planning Grant application for the CCC. Selectboard Clerk, Kim Souza seconded the motion.**

**All were in favor and the motion passed.**

- c. 2020 Series – Vermont Bond Bank (Motions Required for 1, 2 & 3)

Lori Hirshfield, Director of Planning and Development presented the information from the Vermont Bond Bank.

In March of 2019, Hartford voters approved proceeding with the construction and financing for the South Main, North Main and Gates Streets TIF (Tax Increment Financing) construction project involving engineering, design, permitting for public sidewalk, road, streetscape, lighting, water, stormwater, sanitary sewer, and retaining wall improvements, and related costs. Of the \$5,477,000 estimated project cost, \$1,735,000 is the subject of the current Bond Bank application for the non-utility portion of the project. The remaining \$3,742,000 is being financed through the VT Clean Water State Revolving Loan Fund (CRSRF) and VT Drinking Water State Revolving Loan Fund (DWSRF) which have more favorable loan terms.

The bond debt will be paid for with anticipated Hartford TIF District Tax increment.

- 1) Bond Resolution and Certificate

**Motion: Selectboard Member, Joe Major made the motion to move approval of the Bond Resolution and Certificate and execution by the Selectboard. Selectboard Member, Alicia Barrow seconded the motion. All were in favor and the motion passed.**

- 2) Municipal Tax Certificate

**Motion: Selectboard Member, Joe Major made the motion to approve the Municipal Tax Certificate and execution by the Selectboard. Selectboard Clerk, Kim Souza seconded the motion. All were in favor and the motion passed.**

- 3) Loan Agreement

**Motion: Selectboard Member, Joe Major made the motion to approve the Series 2020 General Obligation Bond in the amount of One Million Seven Hundred Thirty-Five Thousand Dollars and execution by the Selectboard. Selectboard Vice Chair, Simon Dennis seconded the motion. All were in favor and the motion passed.**

**Selectboard Member, Joe Major made the motion to approve the 2020 Series Loan Agreement, and Loan Commitment Memo, and authorization for the Selectboard Chair to execute these documents on behalf of the Selectboard. Selectboard Clerk, Kim Souza seconded the motion. All were in favor and the motion passed.**

- d. Transfer Station Options Cost Comparison (Information only)

At the June 2, 2020 Selectboard meeting, the Selectboard requested information specifically regarding cost associated with curbside collection of municipal solid waste (MSW), recycling, and organics and also expenses associated with joining the Greater Upper Valley Solid Waste Management District (the District).

Hannah Tyler, Director of Public Works presented information from the Town of Brattleboro (for comparison) and the District Solid Waste Manager. No specific costs for either services and/or fees were presented at this time because no bid is actually being considered. Kim Souza asked if we did put out an RFP if the local company is able to handle all 3 waste streams.

It was decided to have a future agenda item to take action of releasing an RFP with predicted Cost Impact for Municipal solid waste curbside Pickup.

- e. Paving Bid Award (Motion Required) Presented by Hannah Tyler, Director of Public Works.

The Town of Hartford seeks paving contractors for paving and reclamation work. The project includes reclaiming, shimming, and overlays as well as structure adjustment where necessary. The Town crew will place and compact gravels on reclaimed road as well as perform drainage and erosion repairs.

The estimated base cost of the services is \$403,133.05 without overages. The additional funds within the budget for paving will be utilized for overages and preparation work including additional base gravels and erosion/drainage repairs to be performed by the Town of Hartford. If the current budget is not adequate for all projects, staff recommends deferring work on a portion of Jay Hill Road until the next fiscal year.

**Motion: Selectboard Clerk, Kim Souza made the motion To Authorize the Town Manager to execute a contract with**

**Blaktop, Inc. for paving and reclamation services with a base bid of \$403,133.05 plus overage. Selectboard Member, Alan Johnson seconded the motion. All were in favor and the motion passed.**

- f. Aggregate & Winter Sand Bid Award (Motion Required)  
Submitted by Hannah Tyler, Director of Public Works.

The Town issued an RFP seeking bids for various aggregates utilized by the Department of Public Works.

The RFP included request for unit cost of crushed gravel, bank run gravel, hard pack, winter sand and winter sand delivered. The form also requested a delivery cost per ton for all products.

The Town received one bid form from Twin State Sand and Gravel.

The FY21 Budget includes a combined total of \$70,000 for aggregate in the Summer Maintenance (Div. 311) and Winter Maintenance (Div. 312) budgets. The FY21 Budget includes \$40,000 in the Winter Maintenance budget division. The cost for winter sand from Twin State Sand and Gravel is \$0.20 higher than last year. The cost of bank run gravel went up \$0.30 from last year. Three quarter inch hard pack went down \$0.30 from the previous year, and one- and one-half inch hard pack went down \$0.15 from the previous year. All other aggregate remained the same price as the previous year.

**Motion: Selectboard Member, Alan Johnson made the motion to Authorize the purchase of aggregate materials from Twin State Sand and Gravel. Selectboard Member, Joe Major seconded the motion. All were in favor and the motion passed.**

- g. Chloride Bid Award (Motion Required)  
Submitted by Hannah Tyler, Director of Public Works.

The Town issued an RFP seeking bids for Calcium Chloride and Magnesium Chloride utilized by the Department of Public Works. The RFP includes request for unit cost of approximately 30,000 gallons of Calcium Chloride and approximately 30,000 gallons of Magnesium

Chloride. The FY21 Budget includes \$30,000 in the Summer Maintenance budget division (311) for chloride materials. All States Asphalt, Inc. provided a bid of \$0.81/gal while Innovative Municipal Products, Inc. provided a bid of \$0.91/gal. The cost of Calcium Chloride from All states Asphalt, Inc. is 89% the cost of Innovative Municipal Products, Inc.

**MOTION: Selectboard Member, Alan Johnson made the motion to Authorize the purchase of Calcium Chloride from All States Asphalt, Inc. In the event of shortages of necessary product at All States Asphalt, Inc., also that the Department of Public Works be authorized to purchase said product from Innovative Municipal Products, Inc. on an as needed basis. Selectboard Clerk, Kim Souza seconded the motion. All were in favor and the motion passed.**

- h. Authorize Town Manager to Execute Quit Claim Deed for 53 s.f. Boundary Line Adjustment to Four Eyes LLC, 155 Maple Street. (Motion Required)

For the last several years, Town Attorney Rob Manby has been working On behalf of the Town to resolve a boundary dispute involving the property at 155 Maple Street (the former Citizens Bank). The boundary dispute arose due to errors in a survey done for the prior property owner. Litigation ensued, and the Town of Hartford was named as a Defendant, even though it had no responsibility for the surveyor' s error. In 2019, the litigation ended when the title insurer for the prior property owner (CRE N Mixed Five VT Branch Holdings, LLC) settled with the Town. The settlement terms included reimbursement to the Town for all of the Town's legal and administrative expenses incurred since approximately 2010. The survey company and CRE N Mixed Five VT Branch Holdings, LLC (through their insurers) paid the Town \$21,035.73 by check dated September 27, 2019. CRE N Mixed Five VT Branch Holdings, LLC sold the property to ForEyes, LLC in September 2019 to redevelop the building for use as an optometrist shop.

In 2020, DPW Project Manager Chris Holzwarth discovered another error in a more recent survey in which a small, 53 square foot portion of the building hangs over onto the Town property. The new property owner, ForEyes, LLC, submitted an application to Town of Hartford HPC seeking a lot line adjustment to remedy the building encroachment revealed by the second erroneous survey. The owner has completed first step in the adjustment process, which was to obtain Planning Commission approval of the one-step subdivision for the lot line adjustment on May 22, 2020.

**MOTION: Selectboard Member, Joe Major made the motion to authorize the Town Manager to execute the Quit Claim Deed and any other documents or procedures necessary to finalize this boundary line adjustment. Selectboard Clerk, Kim Souza seconded the motion. All were in favor and the motion passed.**



- i. Updates and Recommendations from Ad Hoc Committee on Coronavirus Response Regarding Mask-Wearing Inside Businesses (Motion Required)

The Hartford Ad Hoc Committee on Coronavirus Response - Slow the Spread subgroup that has been considering recommending to the full Committee that the Selectboard take action to make wearing masks mandatory inside of the interior spaces of Hartford businesses.

The subgroup requested the Town Manager research the legal difference In an Emergency Order and a simple Resolution. The subgroup desires to instill greater compliance by customers inside of businesses, but not to have it be a code that requires the Police Department to enforce.

Carl Andeer, VLCT legal counsel, advises that Emergency Orders that are enforceable with penalties under state law. However, he says, "there is still discretion on the part of the town police on how to enforce - just as they have discretion in how and when they enforce other laws."

The Town Manager and Police Chief have met with the subgroup On this matter. We both believe that positive communications and reinforcement measures by the Town and private property owners are preferable to an Emergency Order with enforcement authority that requires Police intervention to enforce mask-wearing on private property.

It was agreed to not issue an emergency order at this time. If a spike in cases happens then the Selectboard could elect to do the emergency order at that time.

**Proposed statement:**

**COVID-19 EMERGENCY RESOLUTION REGARDING MASK WEARING**

WHEREAS, the Centers for Disease Control and Prevention (CDC) recommend the use of simple cloth face coverings to slow the spread of COVID-19 and to help prevent people who may unknowingly have the virus from transmitting it to others; and WHEREAS, the Vermont Department of Health "recommends that all Vermonters wear cloth face coverings when outside the home to help slow the spread of COVID-19;" and

WHEREAS, Governor Phil Scott and the Vermont Agency of Commerce and Community Development have issued the following instructions in conjunction with the Governor's executive orders regarding COVID-19: "Employees must wear face coverings over their nose and mouth when in the presence of others. In the case of retail cashiers, a translucent shield or "sneeze guard" is acceptable in lieu of a mask.

Businesses and non-profit and government entities may require customers or clients to wear masks” while on their premises, and

WHEREAS, COVID-19 remains a health hazard to residents of Hartford and a significant threat to vulnerable populations; and

WHEREAS, wearing a face covering is an important act we can perform in an effort to protect others from an infection that we may not know we have.

NOW, THEREFORE, BE IT RESOLVED that this Selectboard hereby issues the following COVID-19 Emergency Request:

All persons in the Town of Hartford are hereby strongly requested to wear cloth or factory made face coverings over their nose and mouth while inside buildings visited by the public.

**Exceptions**

Cloth face coverings should not be placed on young children under age 5; anyone who has trouble breathing; or anyone who is unconscious, incapacitated or otherwise unable to remove the mask without assistance.

Cloth face coverings may not be worn during activities such as eating, drinking or being identified by a bank teller that are not possible while wearing a face covering. However, note that it is particularly important to wear face coverings while engaged in conversation.

**Posting Request**

Each business establishment is requested to post signage at the entrance and at other appropriate locations stating that customers (or visitors) are required or requested to wear face coverings.

**Effective Period**

This Resolution shall remain in effect until the Hartford Selectboard amends, rescinds, or suspends this Resolution or until the Governor declares an end to the COVID-19 State of Emergency in Vermont, whichever occurs first. Please note that this resolution may be upgraded to an Emergency Order if there is a significant increase in local cases.

**MOTION: Selectboard Clerk, Kim Souza made the motion to adopt the Resolution as read. Selectboard Member, Joe Major seconded the motion. All were in favor and the motion passed.**

- j. Prospects for a Permitted Encampment for Homeless Persons (Information Only) Presented by Simon Dennis.

Purpose: To evaluate the Town’s ability to provide a safe location in Hartford for individuals experiencing homelessness to legally camp out.

The Selectboard decided to table this agenda item until the Thursday, July 2<sup>nd</sup> Special Selectboard Meeting

**VI. Commission Meeting Reports: None**

**VII. Consent Agenda (Motion Required): Selectboard Member, Alan Johnson made the motion to approve the Consent Agenda as read. Selectboard Clerk, Kim Souza seconded the motion. All were in favor and the motion passed. All were in favor and the motion passed.**

Approve Payroll Ending: 6/27/2020

Approve Meeting Minutes of: 6/16/2020 and 6/19/2020

Approve A/P Manifest of: 6/26/2020 & 6/30/2020

Selectboard Meeting Dates of:

Already Approved: 7/2, 7/14 and 7/28

**VIII. Executive Session: Selectboard Member, Alan Johnson made the motion to enter into Executive session for: Discussion of the appointment of a town manager under the provisions of Title 1, Section 313(a)(3) of the Vermont Statutes. Selectboard Member, Joe Major seconded the motion. All were in favor and the motion passed.**

**Selectboard member, Alan Johnson made the motion to close the Executive Session at 11:00 P.M. Selectboard Clerk, Kim Souza seconded the motion. All were in favor and the motion passed.**

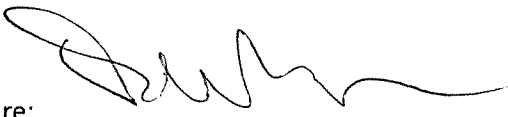
**IX. Adjourn the Selectboard Meeting (Motion Required): Selectboard Member, Alan Johnson made the motion to close the Selectboard Meeting at 11:01 P.M. Selectboard Member, Joe Major seconded the motion. All were in favor and the motion passed.**

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.

Selectboard Signature Page.

Date: 7/14/2020

Date of Minutes: 6/30/2020

Minutes Approval Signature:  \_\_\_\_\_