

Waterford Selectboard Working Meeting Minutes

Monday, March 23, 2026 @ 6:00 PM

Davies Library

In Attendance: Tim Yarrow, Wade Cochran, Shawn Hallisey, Kathy Hodgdon, Will Jones
Attendance list attached.

Chair Tim Yarrow called the meeting to order at 6:00 PM.

Modifications to Agenda

- Add Personnel Policy Discussion
- Add Road Plowing Discussion

Approval of Meeting Minutes

- Shawn Hallisey moved to approve the minutes as amended of the March 09, 2026 meeting. Kathy Hodgdon seconded the motion. Motion passed 5-0.

Town Meeting Synopsis

- Town Clerk Deb Benoit prepared the Town Meeting Synopsis and shared it with the Selectboard for approval.
- Town Moderator Maurice Chaloux did not have any changes to recommend.
- Shawn Hallisey moved to approve the Town Meeting Synopsis. Wade Cochran seconded the motion. Motion passed 5-0.

Auditor Appointment

- The vacant auditor position was posted on the town Facebook account, Front Porch Forum, and the bulletin board in the Town Clerk's office. No responses have been received.
- Shawn Hallisey moved to advertise the auditor position in the Caledonian Record for one day. Will Jones seconded the motion. Motion failed.
- Kathy Hodgdon previously served as a town auditor. She noted that the work had been done by two auditors successfully in the past, so it is not urgently time sensitive to fill the third position. She recommended reposting the advertisements and personally contacting people who may be interested.
- The Board generally agreed with Kathy's opinion and will proceed with reposting the advertisements and contacting potential interested parties.

Certification of Compliance of Town Roads, Bridge Standards, and Network Inventory

- The certification of compliance of town roads, bridge standards, and network inventory is required yearly. It was completed around June or July of last year. Tim Yarrow recommended the Board begin preparing for this year's certificate of compliance.
- Road Foreman Jim Hayes gave a brief explanation of his experience with this certification. He agreed to send the Board the data and details to review.
- Jim is applying for a couple grants associated with the certificate of compliance.
- The Board agreed to attend a tour of the targeted areas with Jim once the weather permits.

Town Garage Mold Inspection/Testing, and Town Garage Project

- Chair Tim Yarrow accompanied Isaac from Top Cleaning and Restoration during the visual mold inspection of the Town Garage. The mold does not appear to have spread, but it can't be known for certain until sheetrock is torn down.
- Tim authorized the collection of two samples for lab analysis at an additional cost of \$80. The samples were taken from the problem areas on the wall. Information about the results of the inspection and samples should be received soon.
- Air tests were conducted in 2023. All tests came back showing no significant mold in the air. This suggests that the problem areas on the wall may not be mold, but potentially a different issue.
- Top Cleaning and Restoration sent a proposal for remediation at the price of around \$25,000. Their proposal includes ripping out all of the sheet rock and insulation to treat the mold. The Town would be responsible for reinsulating and sheetrocking.
- Shawn Hallisey asked why Tim was able to authorize the extra expenditure without a vote from the Board.
- Assistant Treasurer Marcel Lapierre referenced the Procurement Policy which allows purchases of up to \$5,000 by individuals designated as procurement agents. The Treasurer is responsible for keeping track of these expenditures and alerting the Board if inappropriate purchases are made. Selectboard members are not currently designated as procurement agents.
- Will Jones read from a relevant section of the Procurement Policy. The Board agreed this situation qualifies under the exigency exemption, meaning Tim acted in compliance with the Procurement Policy.
- Marcel expects to receive a proposal from Black River Design this week. The proposal will include a cost estimate of conducting a feasibility study on the Town Garage project.
- Shawn received a proposal from EH Danson and sent it to the Board for review. They estimate a feasibility study would cost around \$10,000-\$12,000.
- The Board scheduled a site visit of the Town Garage for March 30, 2026 at 5:00pm led by Jim.
- Will Jones moved to approve the \$80 lab testing expense for mold in the Town Garage. Shawn Hallisey seconded the motion. Motion passed 4-0-1.

Town Investment Fund

- Tim Yarrow extended his thanks to Town Treasurer Heather Gonyaw for her work to get the process started for establishing the investment fund.
- Meetings are being scheduled to interview investment advisors from five banks.
- Shawn Hallisey asked if the town needs to vote on the matter. Tim explained that a town vote is not required, but he intends to gauge public opinion and use it to inform their decisions.
- Town Treasurer Heather Gonyaw confirmed the investment fund would be filled with money that is currently in a reserve account, but not all funds in the reserve account are available for the investment fund.
- The Board considered changing the article of allocating budget surplus to propose allocating surplus funds to the investment fund. Heather noted that there will be no surplus this year, so it is a question better discussed in the future when it becomes relevant.
- The Treasurer's Office will have control of the investment fund, but the Selectboard will need to authorize any action taken.

Follow-up/Status of Past Board Decisions: Video Cameras – Slate Ledge Rd; Town T-Shirts; Dupree Speed Limit Request – Suitor Road

- Will Jones shared an update on the status of Slate Ledge Rd and the video cameras that were approved for installation. The video cameras were not installed. A beaver constructed a dam resulting in about two feet of water flooding the road, making it impassable to most vehicles. The dam and resulting flooding occurred between the Route 18 access and the area used as a dumping pit/party spot, so it is acting as a natural deterrent for unsavory activities.
- The Board considered how to respond to the situation. There are strict rules regarding trapping of beavers and removal of dams. Road Foreman Jim Hayes recommended a crew he's worked with in the past that are certified by the State.
- The Board also considered erecting a sign on both sides of the flooded area that warns 'pass at your own risk.' It would cost about \$300 per sign. A few examples were shared of other places in Waterford that utilize such signage.
- Shawn Hallisey moved to allow the beaver to remain and install signs that read 'pass at your own risk' on either side of the area, costing no more than \$600. Wade Cochran seconded the motion. Motion passed 5-0.
- Jim asked to review the Town Plan for clarity on class four roads. He suggested adopting a standard policy to be followed for all class four roads. There is currently no standard policy; individual class four roads are treated differently.
- Town Clerk Deb Benoit announced that the t-shirts will arrive this week.
- The Board received a request from Mr. Dupuis to install a 35 mph speed limit sign on Suitor Rd. Jim agreed it is an appropriate area to install a speed limit sign.

- Will Jones moved to install a 35 mph speed limit sign at the beginning of Suitor Road. Kathy Hodgdon seconded the motion. Motion passed 5-0.
- Town Treasurer Heather Gonyaw confirmed there are appropriate funds in the Highway Department under the Signage line item.

Personnel Policy

- Will Jones spoke with Sue Hayes before Town Meeting to learn what progress she had made with the Personnel Policy. He continued working on it from there.
- Will used the Grievances and Disciplinary Actions and Appeals section from the policy adopted by the Town of Dover as a template when adding the section to the draft Personnel Policy for Waterford.
- He read aloud the changes made since the Board previously discussed the policy. Additional changes were suggested by Board members.
- Wade Cochran offered to send the Board a draft of language used for regulations regarding employees requesting vacation/leave.
- No action was taken. It will be discussed again at the next Regular Meeting on April 13, 2026.

Road Commissioner

- Tim Yarrow read aloud a letter he prepared. It was addressed to the Ethics Liaison and Selectboard. The letter requested Will Jones recuse himself from all matters concerning Jim Hayes due to a conflict of interest, citing state law 24 V.S.A. § 1992. The letter went on to list the reasons why Tim believes Will has a conflict of interest concerning Jim.
- Tim agreed to send a copy of the letter to the Ethics Liaison and all Board members.
- Shawn Hallisey recommended seeking an unbiased party to investigate the situation. The State Ethics Commission was intended to handle such matters, but they have been fully defunded and are no longer functioning. The Board will consider hiring HR for dealing with issues in the future.
- Will acknowledged there was an appearance of a conflict of interest, but rejected the allegations made against him and agreed to submit a written non recusal statement within the allotted five business days.
- Jim Hayes raised the possibility that Kathy Hodgdon and Tim Yarrow have a conflict of interest with him. He went on to list some examples of why he believes there may be a conflict of interest with each of them.
- Tim and Kathy both rejected the allegations of having a conflict of interest. They both agreed to submit a written non recusal statement within the allotted five business days.
- The Board discussed these issues at length with some input from Jim.
- Kathy Hodgdon moved to keep the Road Commissioner position held by all five Selectboard members. Wade Cochran seconded the motion. Motion passed 4-1.

Road Plowing

- Tim Yarrow recapped the email and phone call he received Saturday morning about the condition of the roads. A few citizens were concerned about a delay in plowing. Tim asked why they waited to plow until Saturday morning instead of Friday night.
- Road Foreman Jim Hayes explained a few issues that affected the outcome. The condition of the dirt roads made it too risky to use a plow for fear of causing significant damage. Problem areas should be plowed as little as possible, so they waited until Saturday morning to begin. There were reports of lingering snowfall Friday night, and Jim did not want to plow twice and risk further damage to the roads. They opted to sand the problem areas instead.
- Their plowing route was thrown off schedule Saturday morning when an employee arrived late without warning. Jim chose to prioritize the hill areas to keep the risk of injury as low as possible.
- The Board generally agreed that communication between Jim and themselves needs to increase so they understand the context needed to handle issues as they arise.
- Tim Yarrow acknowledged Jim's long experience as a road operator and commended the work he does on the roads.
- Wade Cochran gave his thanks to the Road Crew for their hard work managing road conditions. All Board members voiced their agreement.
- Will Jones thanked Mr. Gilbert for his hard work.

Agenda Items for Next Meeting

- Personnel Policy
- Investment Fund
- Bid Opening for Daniels Farm Rd Culvert
- Town Garage Feasibility
- Evaluate the Positions of Town Constable and 2nd Town Constable
- Certificate of Compliance
- Dog Report

Executive Session 1 V.S.A. § 313(a)(1)(B) - Personnel

- Will Jones moved to enter Executive Session. Kathy Hodgdon seconded the motion. Motion passed 5-0. The group entered Executive Session at 8:56pm.
- Shawn Gilbert and Jim Hayes were invited to join.
- Will Jones moved to exit Executive Session. Wade Cochran seconded the motion. Motion passed 5-0. The Group exited Executive Session at 10:33pm.
- Will Jones moved to terminate the employment of Rick Villeneuve. Kathy Hodgdon seconded the motion. Motion passed 5-0.
- Kathy Hodgdon moved to appoint Priscilla Foster as an alternate Planning Commission member. Will Jones seconded the motion. Motion passed 5-0.

TO: Waterford Ethics Liaison, Wade Cochran
SUBJECT Will Jones – Alleged Conflict of Interest, Recusal
DATE March 23, 2026

Dear Ethics Liaison to the Waterford Select Board:

This Select Board member holds that the duty and loyalty of each member of the Select Board is solely directed to the best interests of the voters, residents, and tax-payers of the Town of Waterford.

I believe that Select Board member, Will Jones (“Will”), has a conflict of interest with the current Road Foreman, Jim Hayes, in a way that renders him unable to exercise his duty and obligations in the best interest of the Town. I believe Will should recuse himself immediately from any further deliberations, decisions, or actions connected in any way with Road Foreman Jim Hayes’ employment with the Town of Waterford.

I cite the following allegations in support:

1. Will has been friends with the Road Foreman’s daughter since he was approximately 16 years old.
2. Will has been socially friendly with the Road foreman and his family.
3. Will never disclosed any alleged pre-existing relationship with the Foreman or his family.
4. Will aggressively (meaning assertively, energetically, persistently) sought the “Road Commissioner” appointment by the Board before and on April 14, 2025. The Road Foreman advocated strenuously in favor of Will as Road Commissioner. This information is publicly accessible on Youtube of the Select Board meeting from April 14, 2025.
5. For years the Town has plowed a portion of the driveway of the home in which Will now lives. This fact was *admitted* by the Foreman and by Will (02/18/26).
6. Will receives a private benefit using public resources. Will never made the Board or public aware of this benefit and conflict when appointed as Commissioner in April 2025.
7. Up through 2/18/26 (possibly later in time) the Foreman (or another member of the road crew on orders by the Foreman) plows a portion of Will’s driveway.
8. At no time has the Foreman or Commissioner advanced a plan to stop plowing Will’s driveway as a turn-around for the plow.

9. As Road Commissioner Will has exercised unilateral decisions in the Foreman's financial favor that were not authorized by the Board. (Ex. Paid attendance on O.T. for unnecessary participation at SB meetings)

10. Will has used his personal discretion as a Select Board Member to align with the Foreman when the Board attempted to hold accountable, and discipline, the Foreman. (Ex. High marks during annual review, shield during SB meetings RE Accident Reports)

11. Will is alleged to frequently visit or meet with the Foreman in his office in the Town garage, behind closed doors. Will has not disclosed to the Board any of these meetings or discussions with the Foreman. At least one road crew has stated that they cannot bring concerns to Will because "he is in the Foreman's back pocket."

12. Will engaged in a private "huddle" and conversation with the Foreman in the audience (1/23/26) in apparent violation of Vermont Open Meeting Laws. At least one resident watching the meeting on-line expressed written concern about this.

13. Will is aware, and apparently unconcerned, that the Foreman lied to him about not plowing his usual route on River Road in an apparent attempt to retaliate against a Town employee. Will unilaterally attempted to repair this matter without bringing it to the Select Board's attention.

14. Will attempted to inappropriately use state law (24 VSA Sec. 1992) to allege a Board member had a conflict of interest. It appears that Will's allegation, unsupported by viable fact, may have been vindictive or retaliatory in motivation, and done to estop any Board discussion related to discipline of the Foreman.

15. Will has never investigated persistent allegations that the Foreman (and/or his wife) may be using Waterford Town equipment to plow his driveway and/or access road to his home in Concord.

16. During the 03/23/26 open meeting Will gave full-throated support and advocacy to the Road Foreman on a question of Road Foreman literacy, as opposed to considering whether the Foreman has a possible deficiency that impedes his ability to adequately and successfully perform Road Foreman administrative work tasks in the best interest of the Town.

Respectfully Submitted,
Tim Yarrow; Chair, Waterford Select Board