

SELECTBOARD MEETING
May 28, 2015

Present: Alex Weinhagen Brent Meacham
 Dave Adams Nanette Rogers
 Casey Mathieu

Guests: See attached list

The meeting was called to order at 5:30 p.m.

EXECUTIVE SESSION

Dave Adams made a motion to enter Executive Session to discuss personnel, seconded by Casey Mathieu. Motion passed: 3-0. People in attendance were Alex Weinhagen, Dave Adams, Casey Mathieu, Heather Armata and Brent Meacham. The Board exited Executive Session at 6:26 p.m.

CHANGES TO AGENDA

The following changes were made to the agenda: Hiring Treasurer and Act 148 were added to Discussion.

TED & MICHELLE PELKEY

Ted and Michelle Pelkey were present to explain an incident that happened with Melissa Manka. Mr. and Mrs. Pelkey recently met with Melissa to discuss what could be done with their property. The Pelkeys have been through a lengthy and expensive process trying to subdivide their land and relocate Mr. Pelkey's business to Westford. The Development Review Board approved his applications however the decision was appealed. The court upheld the DRB's decision. Mr. Pelkey has one year to file the mylar however he was advised by Melissa that the mylar can't be filed until he has all other permits, including Act 250, in place. Mr. Pelkey feels this is wrong.

During his meeting with Melissa, Mr. Pelkey became frustrated and stated he "never understood how people could get so angry that they would kill people but now he can." Mr. Pelkey stated this was not a threat to Melissa or anyone else in the town office. He feels the situation has been blown out of proportion. He feels the no trespass order is not necessary. He would like the Selectboard to withdraw the order and to let him know if the order is withdrawn.

Alex advised that the Selectboard met and discussed the situation, including the State Trooper's visit to Mr. Pelkey's home. They also consulted with the Town's attorney. With the assistance of the Town's attorney, a no trespass order was created and the attorney is filing the order. Unless the Board decides at a later date to revoke the order, it will remain.

Dave advised the Board made a decision, adding that to some people Mr. Pelkey's statement could be considered a threat. The Board took the action to invoke a no trespass order and that is what's in place now.

Mr. Pelkey inferred that his lawyer would be in touch with the Town and left the meeting.

MINUTES

Dave Adams made a motion to approve the May 8, 2015 minutes as written, seconded by Casey Mathieu. Motion passed: 3-0.

The May 14, 2015 minutes were tabled until the next meeting.

PUBLIC COMMENT

There was no public comment.

REQUEST TO RELOCATE DRIVEWAY

Art Woolf submitted a request to relocate his driveway five feet then amended the request to ten feet east of its present location. Brent has looked at the site and a town culvert under Cambridge Road would need to be relocated, which he had planned to replace in the near future anyway.

Art explained that he and his neighbor, Adam Bagdon, are having a dispute over the right of way (Art's driveway goes through Adam's property). Art is hoping to relocate the driveway to allow him to access the driveway more easily and to plow it in the winter.

Adam advised that he agreed to moving the driveway five feet, however will not agree to the ten feet due to the proximity of his leach field. Based on a plan, the leach field would be within 12-15 feet from the driveway.

The Board expressed concern over approving the request when there is not an agreement between the property owners. Alex would like to look into the isolation distances between leach fields and driveways. Dave asked Art if he would be satisfied with relocating the driveway five feet. Art stated he would prefer ten feet because he wants to avoid any future problems.

Alex made a motion to table this item until the June 4th meeting, seconded by Dave Adams. Motion passed: 3-0.

ROAD SCHEDULE

Dave Adams made a motion to approve the May 28, 2015 through June 11, 2015 Road Schedule, seconded by Casey Mathieu. Motion passed: 3-0.

GENERAL FUND FY'15 BUDGET STATUS

Dave, MJ and Nanette met to discuss the budget and how to read the reports provided to the Selectboard. He reviewed the calculation method and applied it to the reports provided at tonight's meeting. The Board would like to use this method for the next meeting to show where the town is at on the FY'15 budget – for the General Fund and Highway.

APPLICATION TO BURY COMCAST UTILITY LINE

Stone Underground Construction submitted an application to bury a Comcast utility line under Chapin Road. Brent reviewed the plan and is fine with it. It was noted that the time frame specified on the application is about to expire.

The Board requested the application be modified to enable the Road Foreman to sign off on an inspection, advise of measures to be taken to prevent erosion and to advise the applicant to contact Dig Safe prior to construction.

Alex Weinhagen made a motion to approve the application submitted by Stone Underground Construction with a modification to the completion date, to be determined by the contractor, seconded by Casey Mathieu. Motion passed: 3-0.

WESTFORD MILTON ROAD REPAVING PROJECT

Brent feels the Town could incorporate a bicycle/pedestrian lane when repaving the Westford Milton Road. Currently the travel lanes are 11 ½'. If the lanes were reduced to 9' this would allow for 2' wide bicycle/pedestrian lanes on both sides of the road. The Board asked if expanding to the edge of the shoulder would undermine the ground making it more unstable. Brent feels it will be fine, especially if lines are striped to delineate the lanes. Brent will request quotes to determine how the cost of the project will increase.

DUFRESNE ACCESS

Brent has received calls concerning an access permit that was granted on Woods Hollow Road to Dufresne. The permit was granted for logging and the property owners have completed the work. The property owners also have access to this lot via Ruggles Lane. It is Brent's understanding that the property owners are now operating a sugaring operation. The Board would like a letter sent stating that the permit was for logging and if the property owner would like to use the access for a different use, they need to obtain permission from the Selectboard.

BEAVERS ON WOODS HOLLOW ROAD

Beavers have built several dams off Woods Hollow Road, one of which has dammed the water at least ten feet high. Brent is extremely concerned if one or more of these dams break because the rush of water would take out the road. The Board members will do individual site visits and discuss this at their next meeting.

UNIFORMS FOR HIGHWAY CREW

The Road Crew would like to get uniforms from a company. The yearly cost is slightly below what is budgeted per crew member (\$300) for a clothing allowance. The Selectboard doesn't have an issue with the crew members having uniforms. A letter will be sent to the members that they may have uniforms however the cost of the uniforms will come out of the yearly clothing allowance. The employees can switch effective July 1st.

DRB APPLICANTS

Kim Boomhower and Sara DeVico were present to discuss their interest in being appointed to fill a vacancy on the DRB (Development Review Board).

Sara has lived in town for 3 years and works with residential new construction with Efficiency Vermont. She has a holistic view of growth but wants to maintain character. She believes in community planning because it gives balance to development.

Kim has lived in town for over 25 years. He is retiring from IBM and would like to become more involved in the community. He believes in community planning and understands its importance, recognizing the DRB can only apply what's in effect.

The Board briefly discussed the applicants. They feel both applicants are good candidates.

Alex Weinhagen made a motion to appoint Sara DeVico to the DRB pending Casey Mathieu's resignation, seconded by Casey Mathieu. Motion passed: 3-0.

CORRESPONDENCE

Alex advised that Trooper Fox notified him that the charges being brought against Ted Pelkey with regard to the incident with Melissa have been sent to the State's Attorney.

TREASURER

Dave advised that the Nominating Committee had a candidate they were originally going to recommend however the candidate withdrew before the recommendation was made. The candidate's circumstances have changed and she is still interested in being appointed as Treasurer. The Nominating Committee feels the easiest thing to do is to reconvene the original members of the Committee to meet and decide if they want to recommend this person the Selectboard without re-opening the job search. The Selectboard felt this was a good plan as long as the applicant is sure they want the position and Nanette and MJ meet her and concur with the Committee's recommendation.

ACT 148

The Board received an email from Nancy Plunkett at CSWD to advise that there is no exemption for Westford from complying with Act 148. The Board will await the data from Gauthier before deciding what to do.

ACCOUNTS PAYABLE & PAYROLL WARRANTS

The Board approved the accounts payable and payroll warrants.

EXCESS WEIGHT PERMITS

The Chair signed Excess Weight Permits for Ted Pelkey, Denis Beloin and Sheila Spaulding.

ADJOURN

The meeting adjourned at 8:26 p.m.

Respectfully Submitted,

Alexander Weinhagen, Chair
Selectboard

Nanette Rogers
Town Administrator

TOWN OF WESTFORD
SELECTBOARD MEETING
GUEST LIST

Date: May 28, 2015

Name (please print)

Address

Heather Amann

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Michelle Pelkey

2189 VT Route 128 Westford

Ted Pelkey

" " "

Adam Bagdon

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Pat Wolf

557 Cambridge Rd

Kim BOONHOWER

245 WESTFORD MILTON RD

Sara DeVico

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