

**SELECTBOARD MEETING
November 12, 2015**

Present: Alex Weinhalen Brent Meacham
 Dave Adams Nanette Rogers

Guests: See List

The meeting was called to order at 7:03 p.m.

CHANGES TO AGENDA

The following changes were made to the agenda: Added Bornstein trail permit request and Rec Dept.'s request to change payment provider for online registrations to the end of the Discussion section.

PUBLIC COMMENT

There was no public comment.

MINUTES

Dave Adams made a motion to approve the October 22, 2015 minutes as amended, seconded by Alex Weinhalen. Motion passed: 2-0.

ESSEX RESCUE FY'17 BUDGET REQUEST

Dan Manz was present. Essex Rescue is requesting \$1,850 which is an increase of \$150 from FY'16. The increase is consistent with the plan to reach a \$3.87 per capita rate in 2019. The per capita rate for FY'17 will be \$2.74.

WESTFORD FIRE DEPARTMENT FY'17 BUDGET REQUEST

John Quinn and Bill Fay were present. The Fire Department is requesting a level budget of \$50,100. The Fire Department would like to purchase a pumper in the very near future. Their current pumper is 27 years old and they are having difficulty finding people to service it. A grant was secured to purchase air packs that were budgeted in the Capital Budget therefore the Fire Department would like to reallocate those capital funds toward the purchase of a new pumper. The estimated cost of a new pumper is approximately \$325,000.

FAIRFAX RESCUE FY'17 BUDGET REQUEST

Dan Vanslette and Bambi Dame were present. Fairfax Rescue is requesting \$11,231, which is an increase of \$946 over FY'16. The per capita rate is \$11.83. Fairfax Rescue has implemented new protocol to enable them to offer additional medication and treatment options to community members within their service area.

WESTFORD LIBRARY FY'17 BUDGET REQUEST

Allison Weinhalen and Bree Drapa were present. The Library is requesting \$69,913 which is a 2% decrease from FY'16. The decrease is due in part to Allison reviewing actual versus budget for the prior year to adjust expenses accordingly. The Library is seeing a savings in their energy costs due to insulation added to the building and anticipate more savings due to the heat pump that was installed. The Library continues to see increases in patron visits, attendance at programs, hosting community events and circulation of books and materials.

LIBRARY PARKING LOT

The Board discussed the recent work done to the Library parking lot. The work was done to mediate drainage issues that caused the driveway to continually washout. Material was added to the lot and

driveway to create a slope toward Route 128 to encourage water runoff to flow toward the culvert and eventually to the wetland. However, the work has resulted in unintended consequences such as losing a parking space, creating a significant drop off and motorists feeling like they will drive off the edge of the driveway because they can't see the edge when rounding the corner behind the building.

The Board would like to hire an engineering firm to provide a work plan for the Road Crew to address the current concerns while also addressing the previous drainage problem. An estimate was received from one firm in the amount of \$1,500. The Board would like all parties – Library, Road Foreman and Selectboard – be part of the process to ensure everyone is on the same page.

Dave Adams made a motion to authorize up to \$2,000 to be taken from the highway budget to hire a licensed civil engineer to review the site and submit a plan to the Town to improve the conditions of the parking lot and drainage issues, seconded by Alex Weinhagen. Motion passed: 2-0.

BORNSTEIN TRAIL PERMIT REQUEST

Ben Bornstein submitted a request for a trail permit to operate a motor vehicle on the Goodrich Trail to access his property. The following questions and Mr. Bornstein's responses were read aloud at the meeting:

1. What type of vehicle will be used to access your property? I drive a 4- wheel drive CRV or a pickup truck, but would expect my guests to also use the trail.
2. Will the motor vehicle use be ongoing or simply for a discrete time period? My use will be sporadic. No plans for on-going use.
3. Do you plan to do any improvements to the trail? I would not make improvements to the trail.
4. Is this for season usage, if so, what time of year? The use would be throughout the year.
5. Is this for logging purposes? If not, what is the purpose? There will be logging. I am part of the current use program and the trail will be used for logging.

Alex advised there is a Court Order issued in 2001 stipulating that access cannot be denied to the Bornstein property for logging purposes, therefore this request should only address personal access. It was pointed out that the Trails Ordinance authorizes the issuance of permits to property owners whose property abuts a town trail. It is unclear to the Board how Mr. Bornstein will access his property and if it will be from the Repa Road end or Machia Hill Road end of the trail.

Jenn Desautels from Trudell Consulting was present on Mr. Bornstein's behalf. She advised that the topography of Mr. Bornstein's property does not allow him to travel freely across his property due to a steep grade. Part of his property has been logged in accordance to his Current Use Plan. Nanette advised that Mr. Bornstein has stated that he has an agreement with a property owner to cross their property however Mr. Bornstein has not been able to find a written agreement on file with the Town. Mr. Bornstein also advised Nanette that access from different directions is needed due to the topography of his property.

Marilyn Thomas feels improvements are necessary for Mr. Bornstein to drive a vehicle on the Trail. At the very least, water bars would need to be installed to deal with water runoff. She expressed concern of damages to the trail during times of the year when it is muddy.

The Board would like to ask some follow up questions to help them act on the request. In particular, the Board wants to know if he has permission to cross an abutter's property to access his lot because he does not have frontage on the trail. Is he certain he does not need to make

improvements to the trail for vehicular use? How much of the trail does Mr. Bornstein need to travel before exiting to access his property?

PUBLIC RECORDS REQUEST

The Selectboard received a public records request from Dick Lavallee for all complaints filed against the Road Crew and Highway Department since Brent's date of hire, October 29, 2012. The Town's attorney was consulted and assisted with the fulfilling the request. According to State Statute, the Town can assess a fee for staff time that exceeds 30 minutes as well as providing a document in nonstandard format. Based on this, Nanette calculated that it took 15 hours to sift through emails and place them on a CD. The calculated fee is based on 14.5 hours at the rate in the fee schedule set forth by the Secretary of State. The fee totals \$496. Based on case law, this fee cannot be collected if Mr. Lavallee views the CD at the Town Office. However if Mr. Lavallee wants to take possession of the CD or make copies of any of the documents on the CD, Mr. Lavallee will need to pay the \$496 fee prior to being allowed to do so.

Alex disclosed that he and Nanette had discussed the fee prior to the meeting. Both felt the \$496 fee was rather steep. Alex wanted to discuss with the Board if they would be amenable to reducing the fee. Mr. Lavallee has not contacted the Town Office since being notified that the CD was ready and what the cost is. Because of this, the Board decided not to discuss reducing the fee. When prompted, Nanette was advised that if Mr. Lavallee does not want to pay the fee he can view the CD in the office. If he chooses to request copies of the documents on the CD and/or take possession of the CD, the fee should be collected and Mr. Lavallee could submit a request to the Board for a refund which would be discussed at a subsequent meeting.

CUSI ANNUAL MEETING INVITE

The Chittenden Unit for Special Investigations (CUSI) is holding its annual meeting on November 18th and would like representatives from each community to attend. The members of the Selectboard and Nanette are not able to attend the meeting.

HRA ROLLOVER

The Town has been advised that any funds remaining in an employee's Health Reimbursement Account (HRA) can be rolled over to the next calendar year or refunded to the Employer. The Selectboard discussed which option they would like to implement at the end of this year. Dave and Alex feel that the funds are part of a benefit package therefore the funds should be rolled over.

Alex Weinhagen made a motion to rollover any unspent funds within an employee's 2015 HRA account to the 2016 account, seconded by Dave Adams. Motion passed: 2-0.

Nanette asked if an employee currently has an HRA account but will be switching to an high deductible policy with a Health Savings Account (HSA), would the unspent funds be refunded to the Town to be placed in the employees HSA account. The Board will discuss this at a future meeting.

ALL HAZARD MITIGATION PLAN

Melissa Manka, Planning Coordinator, forwarded the most recent revisions made to the All Hazard Mitigation Plan (AHMP) for questions and/or comments from the Board. Alex had an objection to Power Loss & Telecommunication Failure falling below Epidemic & Economic Recession in the identified hazards. However when reviewing the grading he understood how the calculations came out that way. Alex does not feel this is worthy enough of any more revisions. Melissa will be notified that the Plan is fine as drafted.

METAL DUMPSTER

All Metal Recycling notified the Town that due to the decline in scrap metal values and the distance and total weight of material in the metal dumpster, they will bill the Town for the cost of hauling after rebating for the metal. The letter advised that this will be for an extended period of time. The Board discussed whether or not they should continue providing this service. They would like to know what the charge will be to help them decide. In the meantime, the Trash & Recycling budget was increased due to anticipated increases that are not going to come to fruition. Any invoices received for the metal dumpster can be paid under this account.

FUTURE OF TOWN AUDITOR POSITIONS

Nanette advised that she and Linda discussed asking the Board to consider seeking voter approval to eliminate the Town auditor positions. They feel that because these positions are hard to fill, there is still a vacancy from Town Meeting, and the fact that the financials are more complicated the Town may want to consider having a CPA firm conduct annual audits.

The Board would like the following information to discuss this item at a future date: ask the auditors how they feel about eliminating the positions, provide a list of what the auditors do and how they are involved in the segregation of duties, and determine what the cost would be for a CPA beyond an annual audit.

REC DEPT REQUEST FOR CHANGE TO PAYMENT PROVIDE FOR ONLINE REGISTRATIONS

Heather Armata and Keith Simpson met with the Board in October to discuss upgrading the Town's website SSL certificate to enable a plugin that will allow people to register for a program and pay the fee online without having to go to a different website. The Rec Committee requested the Town pay the fee to upgrade the certificate, which is \$90.00 for two years. The plugin is not compatible with the current provider the Town uses to process credit/debit cards. The Rec Committee is requesting permission to change providers.

Alex Weinhagen made a motion to accept the Rec Committee's proposal to move to an online registration option for Rec programs which involves upgrading the SSL certificate for a cost of \$90 and to change the provider used for processing credit cards, seconded by Dave Adams. Motion passed: 2-0.

The Board wants the Rec Committee and Keith to work closely with the Treasurer to ensure that the new provider has the banking information necessary to remit funds to the Town and that all options currently available to be paid via the Town's website are still available to residents.

ROAD SCHEDULE

Alex Weinhagen made a motion to approve the Road Schedule for November 12, 2015 through November 25, 2015, seconded by Dave Adams. Motion passed: 2-0.

Dave advised that he's been approached about the excessive crowning on Cambridge Road. The crowned area is lengthy and people with low riding cars are having difficulty. Brent advised that the crowns have been reshaped and will compact.

Marilyn asked if the ditches on Covey Road are going to be cleaned out. The recent grading job placed all the leaves in the ditches. Brent advised he's aware of the leaves and does plan to clean the ditches.

SEYMOUR ROAD BRIDGE CONTRACT CLOSE OUT

Construction of the bridge for Seymour Road is complete. A site visit was conducted and a punch list was generated based on the work that was done. The contractor has completed the punch list to KAS's and Brent's satisfaction. The Agency of Natural Resources and Vermont Agency of Transportation are also satisfied with the work. KAS has expressed how smoothly the job went and high praise for Tremblay Construction.

Alex Weinhagen made a motion to pay the final bill to close out the project, seconded by Dave Adams. Motion passed: 2-0.

Nanette advised that she spoke with Ron Pentowski at FEMA with regard to requesting funds for the project. Mr. Pentowski explained what the Town needs to do to withdraw up to 75% of FEMA's funding for the project. The remainder will be released to the Town when the grant is closed out by FEMA. Nanette plans to submit information to Ron no later than next Tuesday for his approval to be forward to FEMA to request the funds.

COMCAST REQUEST TO BURY UTILITY CABLE ON PLAINS ROAD

The Board signed a request to bury a Comcast cable along Plains Road to service residents on Sawmill Lane.

ACCOUNTS PAYABLE & PAYROLL WARRANTS

The Board approved the accounts payable and payroll warrants.

CORRESPONDENCE

Alex advised of a complaint filed by Becky Roy against the Road crew. The complaint expressed her concerns with no advanced warning of work on Old #11 Road, especially near corners. She feels this creates a safety issue for motorists. Brent explained that he does not put out signs when grading because it is impractical. The wind row is an alert for motorists that the road is being graded. He does place signs out when ditching or doing other work. Mrs. Roy's complaint also included Town trucks speeding on Brookside Road. Brent has talked to the drivers about this part of the complaint. Alex will respond to Mrs. Roy.

Alex brought up a question posted on Front Porch Forum by Dana LeBlanc about the availability of sand for residents. Brent advised that residents can get some sand, up to one or two five-gallon pails. Alex will advise the author.

EXCESS WEIGHT PERMIT

The Chair signed an Excess Weight Permit for Keeco Enterprises.

ADJOURN

The meeting adjourned at 9:01 p.m.

Respectfully Submitted,

Alexander Weinhagen, Chair
Selectboard

Nanette Rogers
Town Administrator

TOWN OF WESTFORD
SELECTBOARD MEETING
GUEST LIST

Date: November 12, 2015

Name (please print)

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