

SELECTBOARD MEETING
May 11, 2017

Present: Dave Tilton
Allison Weinhagen
Greg Barrows

Brent Meacham
Nanette Rogers

Guests: See attached list

The meeting was called to order at 7:01 p.m.

CHANGES TO AGENDA

The following change was made to the agenda: added email from Myers to switch to recycling every week to Discussion.

PUBLIC COMMENT

There was no public comment.

MINUTES

Allison Weinhagen made a motion to approve the May 1, 2017 minutes as written, seconded by Dave Tilton. Motion passed: 2-0.

CSWD FY'18 PROPOSED BUDGET

General Manager Sarah Reeves presented Chittenden Solid Waste District's proposed budget for FY'18. Expenses and revenues are expected to increase by approximately 9%. Increases in expenses include salaries, insurance benefits, and special projects to name a few. Funds will be drawn from the rate stabilization fund to balance the FY'18 budget. Revenue is expected to increase by 9% based on estimated fees that will be collected for disposal of waste as well as an increase in revenue from sales of recycled paint, etc.

Allison Weinhagen made a motion to approve CSWD's FY'18 budget as proposed, seconded by Dave Tilton. Motion passed: 2-0.

Sarah advised that Act 148 was amended to delay the collection of organic materials until July 1, 2018.

PLANNING COMMISSION MEMO-RELEASE OF SCHOOL EASEMENT & USE AGREEMENT

The Planning Commission submitted a memo requesting that the Selectboard release the draft school property Easement and Use Agreement. The Planning Commission and Conservation Commission would like sufficient time to review and provide comments on issues that may not be obvious to the Selectboard and School Board before the documents are finalized. The memo cited the statutory obligations of both entities to support the request. The Town's attorney has advised that the Selectboard not release the drafts of the Easement Deed and Use Agreement until the documents have been vetted by the Selectboard and School Board and are nearly finalized.

Gordon Gebauer feels it's quite possible that not releasing the documents would be a violation of the Open Meeting Law. He stated that the Planning Commission's goal is to work collaboratively with the Selectboard within the allotted timeframe. Gordon elaborated that it's not the intention of the Planning Commission and Conservation Commission to micro manage or wordsmith the documents but to ensure the documents conform with the Town Plan and town policies that are in place. The deadline is nearing and the Commissions are concerned that there will not be enough time for them

to review the documents, provide meaningful comments to the Selectboard and those comments be incorporated into the documents before July 1st. He sees two options: 1) the Selectboard continue with its policy of not releasing the documents but extend the timeframe to allow committees to review and provide comment, or 2) abandon the policy and make the drafts available to the Planning Commission and Conservation Commission.

Allison stated that she understands the points being made by the Planning Commission and Conservation Commission. She advised that the Easement Deed was made available to the Commissions and the Selectboard received comments which were forwarded to the Town's attorney. As for the Use Agreement, Allison and Mark Drapa recently met with the attorney and provided him with the issues that the Town has concerns about so that language can be crafted around those issues. As of the date of this meeting, the Boards have not received a draft Use Agreement.

Dave Tilton would like to be able to release the documents however is unsure how to do that and also comply with the Town attorney's recommendation. Dave suggested that the Planning Commission and Conservation Commission to submit a memo to the Selectboard laying out the issues that should be addressed and incorporated into the documents. Gordon stated it's possible the draft Use Agreement may address all their concerns. However, it's hard to know that without seeing the document. It's equally hard for them to take a stab in the dark at what they think should be included. Allison will consult with the attorney to see if there would be any issues for one Selectboard member to meet with the Commissions and go through the draft. She will also inquire about the Open Meeting Law concern.

Sarah Pinto stated that it's much easier to work with a draft document than to provide comment on something that does not exist or has not been made available. The Conservation Commission and Planning Commission are "the boots on the ground people." They know how the property will be used because they have been maintaining it. As a result of their involvement in the property, Commissions are able to bring a different perspective to the table.

Seth Jensen advised that state statutes have specific responsibilities laid out for the Planning Commission and Conservation Commission related to public facilities and public land. He feels it is critical for the Commissions to have the ability to provide meaningful comments and that it's important for the Town to get this right. He suggested that the Selectboard consider releasing the documents only to the committees that have a statutory obligation to manage the land.

Wendy Doane appreciates the expertise that the members of the Planning Commission and Conservation Commission bring to the table. She encouraged the Selectboard to tap into those resources.

Mark Letorney advised that it was the Planning Commission who initiated the request of the School Board that the land be transferred to the Town; the Commission has been intimately involved in the process since the beginning. He feels it would be advantageous to include the Planning Commission and Conservation Commission so the process is done in an efficient and amicable manor.

JACKSON FARM & FOREST RECREATION PLANNING GRANT APPLICATION

Town resident Ray Geddens drafted a grant application seeking \$10,000 for the purpose of creating a recreational use action plan for the town forest. The town forest includes the two lots being transferred from the school to the Town as well as the Jackson Farm land that is being purchased by

the Town. Allison and Dave had a few comments and will email them to the Planning Coordinator. The Selectboard approved the grant application and will submit a letter of support.

JACKSON FARM & FOREST INTERIM FOREST MANAGEMENT PLAN

The Selectboard received a draft Interim Management plan for the 130 acre Town Forest. The Planning Commission, Conservation Commission, County Forester and Vermont Land Trust have reviewed the plan and are now seeking comments from the Selectboard prior to being submitted to the Vermont Housing & Conservation Board for approval. The Selectboard has not had the opportunity to review the plan due to its late submission to the Board. Allison and Dave will provide their comments to Melissa. The Board will approve the plan at their May 25th meeting.

HALLER PEDESTRIAN PATH & WASTEWATER EASEMENTS

The Town has been working on deeds and easements with regard to the Jackson Farm & Forest Project. The original thought was to have the future community wastewater system located on the north west part of the property. However, this location presented hurdles for funding approval for the agricultural easement to be held by the Pouliots. The Hallers have offered to provide an easement for the tanks to be located on their property located on the east side of Brookside Road. In exchange for the easement, the Hallers are requesting \$5,000. The Planning Commission is seeking permission for the Town's attorney to draft the easement deed.

The Board felt uncomfortable in compensating for tanks that may never be installed. They are happy to compensate the Hallers for any legal expenses they incur for the review and execution of the easement deed upon submission of said invoice(s) to the Town. This discussion took place with Gordon Gebauer as well who said the easement could be granted now and the compensation could be granted at a later date if the tanks are installed. He added that it's possible that the easement could evaporate after an agreed upon time if the tanks are never installed. Wendy advised that the easement deed is necessary for the project to move forward as everything needs to be in place for the conveyance to occur.

Allison Weinhausen made a motion to authorize the Town attorney to draft an easement deed for the placement of the wastewater system tanks on the Hallers' property, seconded by Dave Tilton. Motion passed: 2-0.

REQUEST FOR PORTALETS FOR JULY FOURTH

The Library Trustees are requesting the Town provide portalets for Fourth of July. The system at the library was not designed for the heavy usage during this event.

Dave Tilton made a motion to approve the Trustee's request for the Town to provide portalets for the Fourth of July activities, seconded by Allison Weinhausen. Motion passed: 2-0.

PROPOSED CHANGE TO RECYCLING PICKUP SCHEDULE

Myers' Containers submitted a proposal to change the recycle pickup to every week. Myers conducted a pilot study and determined that it was more efficient to collect recyclables weekly from each household rather than every two weeks. Myers is hopeful that the change will encourage residents to recycle even more therefore reducing the amount of trash being picked up. The change would not result in an increase of the contractual price.

Allison Weinhausen made a motion to change the collection of recyclables from every other week to weekly, seconded by Dave Tilton. Motion passed: 2-0.

ROAD FOREMAN

The Road Schedule approved at the last meeting includes this week.

Brent obtained prices for the ditching and road maintenance work to be done with regard to the Clean Water Act. He was advised that the Town will receive at least two of the three grants applied for. Brent would like to secure a contractor for the work. He had prices from seven contractors ranging from \$160 per hour to \$205 per hour.

Allison Weinhagen made a motion to contract with Craig Bushey at the price quoted of \$160 per hour to perform ditching and road maintenance work based on the grants to be awarded by the State as part of the Clean Water Act, contingent on Casey Mathieu reviewing the list of contractors and agreeing with the selection, seconded by Dave Tilton. Motion passed: 2-0.

ROAD FOREMAN JOB DESCRIPTION

This item was tabled until the next meeting.

ACCOUNTS PAYABLE & PAYROLL WARRANTS

The Board approved the accounts payable warrant.

CORRESPONDENCE

The Board received an email from Dick Lavallee requesting that the Class IV section of his driveway receive some maintenance as per the Class IV Road Ordinance. The clay has worked its way up resulting in vehicles/equipment getting stuck. Dick proposed he select the contractor and split the cost of the project equally with the Town. The Board agreed to splitting the cost of the project, however since it is a Town road, the Town will obtain quotes and select the contractor. The Board will ask Dick if there are any contractors he would like the Town to solicit a quote from. The quotes will be furnished to Dick for his input prior to selection.

The Board received an email from Dick Lavallee addressing the gravel accumulating on the side of the roads and in the ditches. This is a follow up email to the one discussed at the last meeting. Pictures were texted to the Board members. The email speaks to the width and depth of the gravel. Dick asked why the gravel cannot be pushed back into the roads to reduce waste. Brent stated that whenever possible, he will re-use the gravel retrieved from ditches and the edges of the road. The final statement in Dick's email is with regard to the Board not acknowledging one of his statements in the previous email. Allison stated that correspondence is considered a public record and is discussed at meetings. Correspondence is not read word for word at meetings nor is correspondence included in the minutes word for word.

FY'17 BUDGET STATUS REPORT

Treasurer Greg Barrows advised that the General Fund budget is in decent shape. Some areas of the Highway budget are over budget, such as sand and salt, and equipment repairs. However, Greg pointed out that that the highway department has received more revenue than anticipated to offset the expenses.

EXCESS WEIGHT PERMITS

The Vice-chair signed an excess weight permit for Jeff Corey Excavating.

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ADJOURN

The meeting adjourned at 8:34 p.m.

Respectfully Submitted,

David A. Tilton, Vice-chair
Selectboard

Nanette Rogers
Town Administrator

TOWN OF WESTFORD
SPECIAL SELECTBOARD MEETING
GUEST LIST

Date: May 11, 2017

Name (please print)

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GORDON GEBAUER P.C.

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