

**SELECTBOARD MEETING
March 23, 2017**

Present:	Casey Mathieu Dave Tilton Allison Weinhagen	Brent Meacham Nanette Rogers Greg Barrows
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Guests: See attached list

The meeting was called to order at 7:00 p.m.

CHANGES TO AGENDA

The following change was made to the agenda: added update on potential sale of Martel lot, Front Porch Forum communication from Selectboard as it relates to open meeting law, Common Road survey funding and overview of Regional Planning Commission meeting to the discussion section, removed updating the personnel policy from the discussion section, and added an Executive Session for a personnel matter at the end of the agenda.

PUBLIC COMMENT

There was no public comment.

MINUTES

Allison Weinhagen made a motion to approve the March 9, 2017 minutes as amended, seconded by Dave Tilton. Motion passed: 3-0.

FY'18 EMERGENCY COMMUNICATIONS & DISPATCH SERVICES CONTRACT

The City of St. Albans submitted to the Town a contract for services for July 1, 2017 through June 30, 2018. Nanette does not recall the Town entering into a contract in the past and assumes that this is due to the City of St. Albans recently losing revenue due to termination of services by another entity.

Allison expressed concern with regard to a conflict between providing written notice of intent to renew and written notice of intent to terminate. She would also like the contract to clarify if funds will be refunded based on a proration of the term if the Town terminates before the twelve month contract period. Allison will contact the St. Albans Town Manager to discuss these items with him.

TRANSFER OF SCHOOL PROPERTY

Easement – Melissa Manka, Sarah Pinto and Nanette Rogers provided comments with regard to the draft easement for parcel #1. Melissa stated that an official map depicting the location of rights of ways and trail easements should be attached to the Easement Deed. The Easement Deed should also include a right of way over the school property/driveway for vehicular access to parcels 2 and 3. The Easement Deed should also include an easement to allow vehicular access to the western field on parcel 2. Sara provided the Selectboard with a marked up version of her comments. Some of the things she pointed out are inconsistencies with language (e.g. "existing recreational trails and pathways" vs "trails and pathways as finally constructed"), conflicts in the language and the need to clarify items, such as maintenance and costs. She also agreed that a map should accompany the Easement Deed to identify the trails. Nanette's comments focused on inserting language for the building to continue to be used for town meetings, elections and meetings of town boards. The comments from Melissa, Sarah and Nanette were also shared with the School Board.

Mark pointed out that the School Board should apply the same kind of scrutiny that the Selectboard has. The intent has been for the School Board and Selectboard to work collaboratively, which has occurred with Mark and Dave Adams being the point of contacts. He would like to see this pattern continue. Nanette suggested that a joint meeting be held between the two boards for the sake of efficiency given that the July 1st deadline is right around the corner.

Sarah stated that from the Conservation Commission's point of view, the Town and School District should stick to what the voters voted on, which is transferring parcels 2 and 3 to the Town, and entering into user agreement for parcel 2 and have an easement deed for parcel 1.

Mark explained how easements are going to be applied. As the owner of parcel #1 the School District will offer easements to town. Parcel #2 and #3 will be public land therefore the Town does not have to offer easements to use public land. Easements only applicable to parcel #1.

Lease versus User Agreement – Casey advised that the Town attorney is looking into whether or not the Town can accommodate the School's policies in a user agreement. Mark advised that the extent of the work done by the attorney to date has been solely on the transfer itself, warnings, draft easements, and he attended a meeting a few weeks ago however received no directives from the Selectboard or School Board. Dave Adams concurred with Mark's comment. No lease agreement was discussed until very recently. Casey advised the attorney will reach out to him and Mark with his findings on the user agreement and school policies.

Joan Farmer asked why the school's policies could not be transferred to the Town and the Town administer the same policy on the property. Mark stated that enforcement would be an issue. Joan pointed out that the Town could grant the enforcement to the School. Allison feels the attorney should figure out the best way – lease or user agreement - to accomplish the goals, which are for the school's policies to be enforceable and for continued access to the land and trails.

Joan expressed concern with the changes that were made at the school when CCSU came in. Before CCSU, groups had complete access to the kitchen and it could be used for any event. After CCSU came in, groups could no longer use the kitchen without an employee of CCSU present and paying that employee. She cautioned of what could happen with a lease on the property based on past history. Joan pointed out that Westford will only have one vote on a nine member board.

Wendy Doane stated that the Planning Commission (PC) is concerned with the exclusive right a lease will grant the school. The PC is also concerned about whether or not a new vote needs to occur if a lease is pursued because voters voted for a user agreement.

Sarah pointed out that a lease is much stronger than a user agreement. You cannot contemplate every situation and if there is a lease, then you are bound by those terms whereas a user agreement is more broad. She agrees with the PC on whether or not a lease can be entered into based on the vote that occurred.

Mark stated that when this process began many things were assumed that turned out not to be true. Even some of the Town attorney's own assumptions were not true. There may be more to come. He recognizes that there are multiple perspectives on this. The school's main priority is the students. He hopes that the goal remains a seamless transition for residents and students. The School Board's part of that is the easements. The Town to school portion is what is left to be done. He's confident they can continue to work together.

Dave Adams doesn't think the School has any opposition to a use agreement. He doesn't understand why everyone is so fired up about the lease but because there is opposition then entering a use agreement is probably the best path to take.

Joan Farmer stated for the record that those opposed to a lease have no less care for the students than the School Board. We all want what's best for the kids.

Andre Roy stated for the record that on the Unified Union School Board Westford's interests have been well represented and continue to be so. He provided an example of the discussion of the merger of the Essex Rec Village and Town, which was defeated. Westford was represented well for not becoming part of it and that Westford Rec would continue to have priority for use of the school building.

Wendy asked when the land will be transferred. Casey advised there is no date set yet. Wendy pointed out that the PC has requested that the transfer take place by April 11th, which is six months from the date of the vote. The PC would to know when the Selectboard has a date of the transfer.

Mark cautioned against any major changes occurring during the school year. He suggested to avoid any issues that the transfer occur no sooner than the last day of school. He advised that all the paperwork can be finalized before then but not signed until after the school year is complete.

Allison feels the Selectboard should discuss convening a working group. She feels that it is premature to determine if another town meeting needs to be held given that the Town and School District have not decided on a lease or user agreement

POTENTIAL SALE OF MARTEL LOT (14.9 ACRES)

Heather Armata has advised that she spoke to Stuart Race who is interested in the property. The listing price is \$25,000. He has offered \$5,000. Heather has advised not to accept the offer but to counter with \$15,000.

FRONT PORCH FORUM & OPEN MEETING LAW

At an open meeting law workshop Allison recently attended, the Vermont League of Cities & Towns advised that the Selectboard should not be discussing a response to a Front Porch Forum post without discussing it at a meeting. If the Selectboard is going to respond it needs to be discussed at meeting and how to respond, or assign someone to respond to those. The Board felt it is important to respond whenever it can. Allison volunteered to answer posts when appropriate.

COMMON ROAD SURVEY

The Town can't proceed with the Spiller lot until it has been surveyed. It has been recommended that the road be classified as a four rod road to retain a right of way for a sidewalk or other infrastructure. This needs to be addressed as soon as possible. A surveyor who has already done some of the abutting properties has been recommended.

OVERVIEW OF THE RPC MEETING

Dave provided a brief overview of the recent Regional Planning Commission (RPC) meeting. The RPC is reviewing its bylaws and discussing municipal service agreements to help assist towns by offering storm water education, which could then be used when writing regulations.

ROAD SCHEDULE

Allison Weinhagen made a motion to approve the March 23, 2017 through April 6, 2017 Road Schedule, seconded by Dave Tilton. Motion passed: 3-0.

Andre asked if the trees being cut have been identified. Brent advised that they are trees that property owners have asked the Town to take care of. Ned Meehan will do the work when the weather conditions are right.

UPDATE ON GARAGE ROOF

Brent advised that work on replacing the garage roof has not begun due to weather conditions.

UPDATE ON DATA ENTRY

Entry of the road projects is progressing. There are still a few bugs in the program, which are being worked out.

ACCOUNTS PAYABLE & PAYROLL WARRANTS

The Board approved the accounts payable and payroll warrants.

FY'17 BUDGET STATUS REPORT

Greg provided a status report on the FY'17 budget. Non-highway expenses through February are \$607,017, which is approximately 59% of what was budgeted. Highway expenses through February are \$812,606, which is approximately 97% of what was budgeted. This does not include offsetting revenues.

CORRESPONDENCE

An email was received from Jeff Gibson asking the Selectboard to consider paving Cambridge Road and Plains Road due to the mud, pot holes and ruts and the volume of traffic.

EXCESS WEIGHT PERMITS

The Chair signed excess weight permits for Champlain Oil Company, United Natural Foods, Essex Rental, Chevalier Drilling, John G. French & Sons Trucking, S.D. Ireland, Cain Transport, Reggie Smith & Son Trucking & Excavating, Dale Percy, Liberty Propane, Onsite Septic Solutions, Fresh Water Haulers, Kennedy Excavation, Irick Excavating, Alan Mossey & Sons Excavating and Moe DuBois Excavating.

EXECUTIVE SESSION

Casey Mathieu made a motion at 8:38 pm. to enter Executive Session to discuss a personnel matter, seconded by Dave Tilton. People in attendance were Casey Mathieu, Dave Tilton, Allison Weinhausen and Nanette Rogers. The Board exited Executive Session at 9:45 p.m. No action taken.

ADJOURN

The meeting adjourned at 9:45 p.m.

Respectfully Submitted,

Casey Mathieu, Chair
Selectboard

Nanette Rogers
Town Administrator

TOWN OF WESTFORD
SELECTBOARD MEETING
GUEST LIST

Date: March 23, 2017

Name (please print)

Address

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Mark Drapa

51 North Rd

David Adams

4 Common Rd

Sarah Pinto

111 Machia Hill

JOAN FARMER + EDDIE

COVEY ROAD

Wendy Doane

5 Manby Rd.



143 Old #11 Rd