

**SELECTBOARD MEETING**  
**May 24, 2018**

Present: Allison Hope  
          Julia Andrews  
          Grant Thomas

John Roberts  
Nanette Rogers  
Greg Barrows

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 funding question regarding pedestrian access installation to serve the Maple Shade Town Forest and added an access permit application for Brookside Road to the Highway Department section.

**PUBLIC COMMENT**

There was no public comment.

**CSWD FY'18 PROPOSED BUDGET**

General Manager Sarah Reeves presented Chittenden Solid Waste District's (CSWD) proposed budget for FY'19. Expenses are expected to increase by approximately \$72,461 and revenues are expected to decrease by approximately \$151,371. Some of the factors driving the increase in expenses are wages, benefits and staff training. Revenue is decreasing based on a change in paper markets and adjusting of compost sales, which is based on actuals. Sarah advised that the solid waste management fee will remain the same at \$27 per ton.

Julia Andrews made a motion to approve CSWD's FY'19 budget as presented, seconded by Grant Thomas. Motion passed: 3-0.

**MINUTES**

Julia Andrews made a motion to approve the May 10, 2018 minutes as amended, seconded by Grant Thomas. Motion passed: 3-0.

**ROAD SCHEDULE**

John reviewed the Road Schedule with the Board. The Road Crew graded several roads, added gravel and repaired potholes on some roads, ditched and stone lined a section of Woods Hollow Road (grant project), removed gravel from intersections and bridges, installed town forest trail access, constructed a fence around a culvert to stop beavers from blocking it and several other small projects. Work to be done include ditching (grant project), grading remaining roads, replace a culvert, complete debris removal from October wind storm and other small projects.

Julia Andrews made a motion to approve the May 11, 2018 through May 24, 2018 Road Schedule, seconded Grant Thomas. Motion passed: 3-0.

**MISCELLANEOUS ROAD TOPICS**

The Board and John discussed who bears the responsibility of replacing driveway culverts. In the past, the cost of installing a culvert for a new access is paid by the property owner. If an

existing culvert needs to be replaced, the property owner purchases the culvert and the town installs it. This will be put in a formal policy.

John met with Jeff Theis, Senior Loss Control Consultant for the Town's insurance carrier, to do a walk through of the town garage. The meeting went well. Jeff will be submitting a letter with recommendations for areas to improve safety conditions. John advised that the most significant item identified was replacing the eye wash station.

There is a significant number of tires that were collected on Green Up Day and brought to the town garage. The Road Crew will dispose the tires in the very near future. It was noted that the Town can utilize the Clean Up funds allocated to Westford by the CSWD to cover the cost of the disposal.

#### **TRAFFIC ORDINANCE – POSSIBLE AMENDMENT**

The Vermont Agency of Transportation (AOT) provided information on the installation of no passing zone signs. Signs may be installed if they meet criteria for limited site distance. AOT advised that a no passing zone is enforceable if the Town includes it in the Traffic Ordinance.

John will verify the site distance. If the signs meet the criteria, the Traffic Ordinance will be amended to include the no passing zone on Woods Hollow Road near the Reynolds Farm.

#### **MOBILE FOOD VENDOR ORDINANCE**

The Board discussed comments and changes to the draft Mobile Food Vendor Ordinance submitted by the Town attorney and Melissa Manka. The Board would like minor changes made: amending the language in the Authority section to include enforcement, clarifying when a license expires, exempting private events and caterers, auto denial if an application is not approved within 30 days, referring to the Town Common Policy and removing the Service of Process section.

#### **ORDINANCE TO REGULATE OPEN FIRES**

Allison stated that the Board seemed to be on the same page at the end of the last meeting. Where do we go from here? Dennis has advised that that current Ordinance is unenforceable and that he would like the opportunity to be able to issue warnings. State law is clear on what can and can't be burned, and when and when you can't burn, but does not provide the ability to issue a warning, an Ordinance does. One question to ask the Town attorney is if the Ordinance is necessary or duplicative.

One area of concern is the Fire Warden going on private property uninvited. Vermont League of Cities and Towns (VLCT) issued an opinion that Fire Wardens shouldn't go on personal property without being invited unless there is a forest fire (this is as specified in state statute). The Selectboard discussed that this language seems vague. Does it mean that the property has to be burning down or that the person is participating in actions that could lead to a forest fire? It was noted that there appears to be a conflict with the Fire Warden Handbook which states that a warden has the authority to look at an area of concern.

The Board would like to be supportive of the Fire Warden in carrying out his duties with authority but also wants ensure that state law is being followed. It was noted that if the Fire Warden has reasonable concern and believes he needs to act within the best interest of the job, then he should call the state police or fire department to assist.

Allison will contact the town attorney regarding the current ordinance, state statute, what's happening now and what the Town would like to accomplish. The Town does not want to duplicate state statute with town ordinances, does not want to create more of a burden, is not interested in requiring permits for contained fires, would like the Fire Warden to be able to issue warnings, and if the Fire Warden goes on private property, that he does so in a way that complies with all applicable laws.

#### **ROAD CREW MEMBER JOB DESCRIPTION**

The current job description for road crew members as well as a template from the Vermont League of Cities and Towns were provided to the Selectboard. Allison will use both documents to revise the job description for discussion at a subsequent meeting.

#### **EMPLOYEE EVALUATION SCHEDULE**

The Selectboard will conduct employee performance reviews on June 14, June 19 and June 28.

#### **APPOINTMENTS TO CCRPC AND CCRPC COMMITTEES**

The terms for the representatives serving on the Transportation Advisory Committee and the Clean Water Advisory Committee expire the end of June. In addition, a resident has not been appointed to Westford's vacancy on the Chittenden County Regional Planning Commission. A notice will be put in the Town's newsletter soliciting residents who are interested in serving.

#### **LOCAL EMERGENCY OPERATIONS PLAN (LEOP)**

Each year municipalities are required to update their LEOP and submit it to their Regional Planning Commission by May 1<sup>st</sup>. Nanette updated the 2017 plan with names and contact information.

Julia Andrews made a motion to adopt the 2018 Local Emergency Operations Plan as presented, seconded by Grant Thomas. Motion passed: 3-0.

#### **REQUEST FOR HEARING ADA ACCOMMODATION**

Nanette received a quote from Audio Visual Environments for a sound system to enable the assistive listening devices (ALDs) purchased for Town Meeting to be used at other locations. The cost of the system is approximately \$3,500 to \$4,000 depending on how many speakers are included.

A second option is to purchase a system that provides closed caption in real time. This type of system still requires speakers to use a microphone but would serve a broader range of hearing impairments.

Nanette has been researching other sound systems to see if a less expensive one can be found. The research has been put on hold so other projects, such as filing documents to close out grants, can be completed.

Grant feels that the Town needs to work toward finding a solution that would serve more than one person. He doesn't feel a reasonable accommodation has to be tailored 100% to one person. Reasonable means reasonable. He would like to continue to look at other options. He feels that for the time being, positioning the individual who made the request closer to the Selectboard and that the board members speak louder and more clearly is the type of accommodation that can be made until something else is put in place.

Allison would like to find out if other towns are using closed caption systems so she can see how it works.

The ultimate goal is to find something that serves more than one type of hearing impairment and is transportable.

#### **REVIEW/UPDATE TASK LIST**

The Board reviewed and updated the task list.

#### **CORRESPONDENCE**

With regard to the maintenance of the Town's property located in front of 4 Common Road, the Town's insurance carrier has advised that the property can sue the Town for damages that occur during maintenance. However, whether the property owners are successful or not would depend on the circumstances. The contractor selected by the Town would likely be involved as well. Allison has contacted the property owner to arrange for a meeting to discuss the concerns.

#### **ACCOUNTS PAYABLE & PAYROLL WARRANTS**

The Board approved the accounts payable and payroll warrants.

The invoice received from Myers for June collection of trash and recyclables reflects a rate increase. The increase is due to an increase in tipping fees. According to the contract between Myers and the Town, the amount to be paid by the Town shall remain the same throughout the contract with the exception of adding new pickups. The contract does not provide for any other type of increase. The contract expires June 30, 2018. The Board asked Greg to contact Myers to advise that the Town will pay the invoice for June per the conditions in the contract.

#### **TRANSFER OF RESERVE FUNDS FROM GENERAL FUND BUDGET**

Grant Thomas made a motion to authorize transfer of the following items from the FY'18 Budget to their respective reserve fund: \$16,500 to Administration, \$37,350 to Highway Equipment and \$46,586 to Fire Department, seconded by Julia Andrews. Motion passed: 3-0.

#### **EXCESS WEIGHT PERMITS**

The Chair signed excess weight permits for HLG Excavation and Ronald Weston

#### **ADJOURN**

The meeting adjourned at 9:22 p.m.

Respectfully Submitted,

Allison Hope, Chair  
Selectboard

Nanette Rogers  
Town Administrator

TOWN OF WESTFORD  
SELECTBOARD MEETING  
GUEST LIST

Date: May 24, 2018

Name (please print)

Address

Dave Laugel

Old #11 Rd.

Michelle Dan

71 North Rd

Sarah Reeves

CSWD