

**SELECTBOARD MEETING**  
**May 14, 2020**

Present:        Julia Andrews                                 John Roberts  
                   Allison Hope    Nanette Rogers  
                   Bill Cleary    Greg Barrows  
                   Callie Hamdy

Guests:        See attached

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

**CHANGES TO AGENDA**

Highway Department added email from Conservation Commission about Goodrich Trail, bury utility line under Osgood Hill Road. Under Discussion added Library Trustee appointment, employee health reimbursement account, and support letter for CCRPC Clean Water Services.

**PUBLIC COMMENT**

There was no public comment.

**MINUTES**

Bill made a motion to approve the April 23, 2020 minutes as amended, seconded by Allison Hope. Motion passed: 3-0.

**ROAD SCHEDULE**

The Road Foreman, John Roberts, discussed the Road Schedule from April 23, 2020 to May 14, 2020. Bill Cleary motioned to approve the Road Schedule. Allison Hope seconded. Motion passed: 3-0.

**EXCESS WEIGHT PERMITS**

Allison signed excess weight permits for Ernest P. Krusch, Bevins Excavating, Harrison Concrete Construction, Harrison Redi-Mix Corp., Keeco Enterprises, and Cardinal Logistics Management Corp.

**GOODRICH TRAIL**

The landowner who owns property off Goodrich Trail with an agreement for access of the Trail for logging seems to have gone beyond what was agreed upon with the Town. This is causing erosion issues as well as causing people to use the Trail for vehicular travel which is a problem since it is only allowed with express permission from the Selectboard.

In Julia's opinion there are several things to do here. The Town needs to contact the landowner to remind him of the agreement. The Conservation Commission would like John to put large boulders at the trailhead to deter vehicular traffic. John will take a hike through the area and see what the condition is in comparison from the last time he was up there several years ago.

Allison was confident that the Town will quickly go to enforcement rather than a reminder for the landowner who has not complied with the agreement. Nanette asked Allison if a phone call in addition to the letter might be helpful based on the fact this has happened before.

Allison thinks that is a good idea, the landowner has been resistant to following the agreement and has effectively widened the Trail much more than agreed upon.

Melissa Manka was present and asked if anybody else had permission to access the Trail via vehicle. There is one, but only for a portion of the Trail, therefore the boulders can be placed. Nanette mentioned that another landowner accesses his property off the Trail accesses it off both the Machia Hill Road and Repa Road, therefore using both trailheads. Melissa is concerned that putting boulders down would create a legal issue with those that have permission to be there and suggested instead a gate with keys for those allowed to use vehicles on the Trail. While this would not be the most cost-effective option, it would allow access to those who have permission while blocking the entrance from those without a vehicular use agreement.

Julia asked John if there was a way to place boulders that would not impact the other landowner. It was difficult for her to visualize. John says it depends but will take pictures when he goes up there and see what is possible. Melissa had a thought that if the landowner had to access more of the Trail there is always the option of talking with the landowner and coming to a new agreement that they restore the Trail to its previous condition. She feels like this might be a compromise.

Bill Cleary mentioned that if the land is in Current Use and the landowner isn't following best forestry practices, the County Forester could be an enforcing agent depending on the condition of the land in question. Julia would like John to look at the Trail's quality and then for Nanette to draft a letter to the landowner. The Board will go from there depending on the condition.

Allison and John were convinced that follow up in addition to the letter and phone call would likely be necessary. The landowner was only supposed to go across the Trail in several places, but they think he likely has gone up the whole Trail with his equipment. Bill mentioned his previous experience with the County Forester and the rules in place for best logging practices and thinks this will be a good avenue. Julia would like this item put on the agenda for the next meeting.

#### **PERMIT TO BURY CABLE ON OSGOOD HILL ROAD**

The property owner at 557 Osgood Hill Road requested permission for Eustis Cable to bury utility lines in the right of way under the road. It is cheaper for them to go under the road than set a new pole. Julia asked if John had any issues with the permit, he did not. They are boring under the road instead of digging a trench so no road issues would come into play. Bill motioned to approve the permit to bury cable. Allison seconded. Motion passed: 3-0.

#### **LIBRARY TRUSTEE APPOINTMENT**

The Library Board of Trustees nominated Vicky Ross to fill the trustee position vacated by Allison Hope. Allison motioned to appoint Vicky as Library Trustee. Bill seconded. Motion passed: 3-0.

#### **PHASE 1 TOWN STORMWATER PLAN FOR LIBRARY**

Pat Hechmer from the Library Board of Trustees was present. She mentioned that stormwater management is a town wide issue. Previously the fixes to stormwater issues at the Library have been quick and easy, but the existing stormwater issue is a big one. The vast majority of the stormwater around the Library is a function of runoff from Brookside Road and Route 128.

Funding is also an issue; the Halloween storm was very severe on the Library. Pat mentions that while most stormwater work is landscaping based that eventually there may need to be interior work done on the Library building. The extent to what they are looking at is certainly a lot more than the \$5,000 that was budgeted for.

Pat was surprised to see with the note from Nanette that the answer to who was managing this was the Library Trustees. She thinks it is more than a Library issue because some of the erosion that takes place is between the Town Office and Library in the driveway there. She mentions that before anything is even decided there are a lot of parties already involved in this issue including engineering firms that have done work as well as residents that have given professional opinions. Her first request is to sort out what is happening and who is dealing with it. She would like a town contact that can speak to the Trustees so that they can move forward in a systematic way.

Julia mentioned that the driveway between the Library and Town Office has questionable heritage in regards of who owns it so there are many things that need to happen from an ownership standpoint before they get to the next phase. She would like to address the ownership issue after the summer given the COVID-19 issue and, not exactly knowing the tax revenue for the Town going forward, she is hesitant to use legal fees at this time.

Pat does not understand why the 1B portion of the site plan would have anything to do with the Library, so she doesn't see how this is the Library's issue. That brings up the question if the \$5,000 budgeted is for portion A or B. What does the Library have budgeted? Nanette recalls that all of the \$5,000 was for part A for the Library.

Melissa explained that the intent was that the \$5,000 go towards the 1A work and that it would be dependent if there was a contractor or if the Highway Dept. could do the work for the catch basin. It was also understood that the property ownership dispute funds would come from the Selectboard's legal fee funds. Bree Drapa, Librarian, mentioned that they must be careful with any work that they do in the Library frontside area because it falls in the right of way of Route 128, which is controlled by the State. She mentioned that previously they had only replaced existing structures so they did not need permits, but that new grading, etc. would likely need permits from the State. The Library is wondering when it comes to permitting who would be responsible for that. She thinks they need some guidance so they can go in a productive direction.

Julia wanted to hear John's thoughts. John believes that the first thing would be to talk to the State about the permitting. His concern with the Highway Dept. doing the work would be if they have time for it. They are still doing repairs from the 2019 Halloween Storm in addition to their normal seasonal work. He knows in the past the Highway Dept. has been asked and done work such as fixing the driveway to the cemetery. He is just wondering where their time is better spent.

Greg wondered if this was potentially a State issue since the water runs across a State road and is in their right of way. It would be nice if we could get the State to deal with it instead. Melissa mentioned when the site visit was done with Fitzgerald they mentioned that it would take years to get the State to do anything and go through their processes, so it would be faster to do it town wise. Bree has been observing many residents doing roadside pickup lately and has seen many cars go into the depression, she feels they have been lucky there has not

been a big injury or accident. A resident has also fallen into the hole during winter. She sees this as a liability issue for the Town so it would be better to have it done sooner than later.

Pat mentioned that she asked Melissa about a timeline for these things in 2011, but in the past 10 years precipitation in Vermont has increased so what was good for 2011 may not be acceptable now. John knows somebody in St. Albans from the Agency of Transportation that could come take a look at the culverts in question. Nanette wondered if John could use some surveyor tape to mark out the area of the depression where people keep stepping and driving in until something more permanent can be done so that it is more visible.

#### **CWSRF – STEP 1 APPLICATION & ENGINEERING SERVICE AGREEMENT FOR TOWN CENTER WASTEWATER COMMUNITY SYSTEM**

Melissa provided the Selectboard with an application and engineering services agreement for the Clean Water State Revolving Fund Step 1. The documents were previously reviewed and approved by the Planning Commission, consultants, and the Agency of Natural Resources. The Planning Commission request that the Selectboard review and approve the documents.

The proposal is to complete the preliminary engineering report, environmental studies and further develop financial scenarios. The loan is eligible for 50% loan forgiveness and the remaining 50% would be paid over five years using the Planning Commission's annual Special Project budget and Special Projects Reserve Fund. Completing these items will make Westford eligible for grant funding and bring us closer towards being shovel-ready which will be especially important if, and when, infrastructure stimulus funds become available.

Allison made a motion to approve the application and agreement. Bill seconded. Motion passed: 3-0.

#### **CCRPC NORTHERN LAKE CHAMPLAIN BASIN PROJECT SUPPORT LETTER**

The Chittenden County Regional Planning Commission was asking for support for their Northern Lake Champlain Basin Project. Allison made a motion to approve the draft support letter. Bill seconded. Motion passed: 3-0.

#### **WORK PLAN REGARDING EMPLOYEE HEALTH INSURANCE FOR 2021**

Allison would like to look at VLCT's most recent benefit survey to see what other towns are doing for health insurance. Her question specifically is about opt-out. Westford's opt out is extremely generous even for a for profit business which we are not. She wants to make sure we are offering employees appropriate benefits for the size of the Town, which includes the opt out. She would like the item to be put on a future agenda to go over how other towns do this.

#### **ANNUAL EMPLOYEE REVIEWS**

Julia is wondering if they can meet physically with people this year considering COVID-19. The Town has until the end of June to complete reviews. Julia asked Nanette to create a folder with last year's evaluations so the Board can review them and be in communication so they can hold the meetings in June. At the next meeting she would like to be able to make a plan to meet with people.

### **COVID-19 UPDATE AND LOGISTICS**

Over the last week or two, things have started to open up around the State. At the last meeting, they agreed there was no rush however the Stay at Home Order technically ends tomorrow so they probably need to start making some plans.

Nanette has started looking into safety measures that can be implemented so that the Town Office can open to the public, but other than that there has not been much conversation on next steps. Researchers have been allowed access to the office on a very limited basis to do research that cannot be done electronically. They have been very respectful, honoring wearing a mask and fresh gloves. Nanette feels that pretty much everybody is on the same page regarding safety measures. She is feeling since there is not much research being scheduled, she would like to open the research times up more. She also acknowledges that the Governor is likely to extend the Stay at Home Order in his press conference tomorrow.

Julia wonders what other Selectboard members thoughts are. Nanette mentioned that we are restricted by how small our building is and we have been pushing the number of people we have in the office. If we are to honor the 6-foot physical distance, then we need to be careful by staggering hours to open up more for those that need it. Bill thinks whatever Nanette is comfortable with, that is what he is comfortable with since it is her place of work.

### **EMPLOYEE HEALTH REIMBURSEMENT ACCOUNT (HRA)**

One employee who still has an HRA is wondering when the funds in her account will be released to the Town. The employee would like to request the release of these funds so they can be used for health care purposes but not through the HRA. Allison would like the employee to provide information when requesting reimbursement so the Town can make sure the expenses are HRA eligible.

### **CORRESPONDENCE**

There was no correspondence.

### **COMMUNICATION**

Nanette is going to put further education out for residents regarding the mailed ballots for school budget vote.

### **FY'20 BUDGET STATUS REPORT**

Greg Barrows, Treasurer, went over the status of the FY'20 budget.

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

Greg Barrows, Treasurer, went over the accounts payable; Selectboard members will come into the town office to sign the warrants.

### **ADJOURN**

The meeting adjourned at 8:40p.m.

Respectfully Submitted,

Julia Andrews, Chair  
Selectboard

Callie Hamdy  
Assistant Town Clerk

**TOWN OF WESTFORD HIGHWAY DEPT.  
ROAD SCHEDULE  
April 30, 2020 – May 14, 2020**

Work to be done

- Grade roads.
- Replacing more culverts.
- Brush cutting.
- Haul in road gravel.
- Continue with FEMA work.

Work completed

- Hauled in road gravel.
- Graded a section of Seymour Rd., a section of Cambridge Rd., and Machia Hill Rd.
- Changed 3 driveway culverts for residents.
- Changed 2 cross culverts on upper Covey Rd.
- Ditching in the area of the culverts.
- Replaced a hydraulic hose on the grader.
- Added gravel to Stoney Ridge.

Approved at the 5/14/20 Selectboard Meeting

**TOWN OF WESTFORD  
SELECTBOARD MEETING  
GUEST LIST**

**Date: May 14, 2020**

The following people attended the meeting remotely via Zoom.

Dave Lavallee  
Michael Wright (LCATV)  
Bree Drapa  
Melissa Manka  
Pat Hechmer  
Peggy Rodgers