

**SPECIAL SELECTBOARD MEETING**  
**August 16, 2021**  
**Minutes**

Present:	Bill Cleary (chair) Lee McClenny Dave Baczewski	Callie Hamdy Greg Barrows Nanette Rogers
Guests:	Sarah Pinto Joel Fay Kati Anderson	Dale Rodgers Jim Anderson Ben Bornstein

The meeting was called to order at 7:00 p.m. The meeting was held in person and via Zoom.

**CHANGES TO AGENDA**

Added technology for Zoom meetings and FY'23 Budget Request memo.

**PUBLIC COMMENT**

There was no public comment.

**SCHUTLZ TRAIL DISCUSSION REGARDING EVENTS, SIGNAGE & COMMUNICATION**

Some of Westford's trails are on town property and some are on private property. The question was should trails that go through private property be treated differently than trails on town owned land regarding events and campaigns. Bill explained that the Board had reached out to legal counsel and the information they received is that the Town has the legal right to do what they want on the trail, but they also have a responsibility to be kind to the landowner. The concerns from the landowner were of increased use due to the summer programs promoting trail usage. Dave feels those promotions are okay, but the property owner expressed concern that there is an impact on their property due to this increased usage.

Joel Fay, from the Conservation Commission, was present. The promotion and increased use of town properties and town trails was an outlined goal in the Town Plan. Lee recalled that the Andersons had some specific concerns about certain behaviors such as maintenance and dogs going on their property. These issues are difficult to moderate, and some aren't even related to the trail itself, but bad behavior. There are things the Town can do to encourage others to be good neighbors on the trail. He feels the Conservation Commission has done good work, often out of their own pockets. It's also a Town goal to increase people's opportunities for outdoor recreation, it's a good thing if it is managed well. Lee thought it was important to remember that anything we did for the Schultz Trail would need to be done and treated the same way legally for other trails. He believes the Town and property owners can find compromise.

The Conservation Commission posts their rules and other communications on Front Porch Forum and other venues. They wanted to know what Jim and Kati would like to see done to mitigate the issues they are having. Jim shared a packet that had a map of the property. He describes that half of the trail users are polite, but he feels the other half are too loud/deliberately noisy and the noise carries over the Andersons' 180 acres. Dale Rodgers, Conservation Commission member, asked Jim what he would like them to do. Jim thinks things can't be done, people will be people, but having events on the Trail affects their

property too much. Joel explained it's a public trail. Jim thinks it's a 50-foot right of way and the Town doesn't have to right to do whatever they want. He feels the suggestion to make noise from the Conservation Commission during hunting season directly impacts them and is in direct conflict with Vermont standards. Sarah explained that these are not trails that get a lot of traffic and people understand that they are sharing the space with hunters during the season. Bill also did not agree with the 'make noise' language. Hunting related accidents are almost non-existent and wearing orange should be sufficient. The Conservation Commission puts up orange vests for Maple Shade to help increase safety, perhaps this could be done for the Schultz Trail. The Conservation Commission was willing to work on the language. Sarah explained they were just following the guidelines that were issued to them.

Kati feels that too many residents are disrespectful of their property. Dave also lives on a property that has a trail nearby. He has no interest in limiting trail use. He has had issues in the past with dogs leaving the trail and coming onto his property and the Conservation Commission was very accommodating. The signage and gating have helped tremendously. The trails were a lifeline to the Town during the worst parts of the pandemic. Dave feels there's not enough signage on Schultz Trail that encourages the public to be neighborly. Dave thought a 'keep your dog on leash' sign near the house area would be helpful and a 'free range chicken area' sign could also be effective. Sarah thought the driveway area and beaver pond were prime locations for signage. Sarah explained the Conservation Commission is limited in what they can do, but they would be willing to get more signage and post more on Front Porch Forum and in the Newsletter about neighborly respect. Even though not cleaning up after dogs is in violation of the Town's Dog Ordinance it is difficult to enforce and will happen regardless. The signage would be a helpful step.

Previously Sarah had indicated a willingness to convey ahead of schedule to the Andersons if the Town was going to do an event on the trail. Because the Andersons had an interest in hunting on the property, Bill would like to ensure that no events are held during the hunting season. The Conservation Commission doesn't schedule events on trails during hunting season for this very reason. There is skiing in winter and poetry walk and passports in summer. There was an increase in traffic on the school trails earlier in the year that could cause damage. The Conservation Commission encouraged the use of other trails to spread out the increased usage to all public trails. They were also seeing a lot of dog waste left on the school trails. Kati wondered why they encouraged an increase in traffic on other trails when they had not fixed the issues at the school trails. Dale explained that overuse is a specific concern when it involves so much traffic that trails don't have a chance to recover. Dale explained that they got so much traffic on the school trails during COVID, they merely proposed that people could hike other trails for a change in scenery and to decrease the wear on the school trails. They did not specify the Schultz Trail as an alternative. During the biggest time of overuse, the trails were very wet and needed that recovery time. Additionally, the Conservation Commission is putting a lot of effort into all the town trails, and it would be a shame for them not to be used.

Lee believes that town public trails are treasures that should be cared for, and he thinks some signage and improved communications can alleviate many of the Andersons' concerns. The public trails should be kept public, an arrival experience at the trail head explaining neighborly behavior would be helpful. Sarah wondered if a catch all kiosk at the trail head where orange vests could be hung would be acceptable. The other end of Schultz Trail has a kiosk so this would not be out of character for the Trail. Lee wondered if this would be too much on the budget of the Conservation Commission. A resident has kindly done the signage for free in

the past. Dale thinks it should be something slightly different to help catch people's eye, so people are more likely to read them. Jim was willing to help find locations for signage.

Kati thought it wasn't easy for those impacted by events to find out what events are happening on the trails. Dave explained the process the Town currently has for holding events on the Common. A general use application is submitted to the town office for approval, but complicated uses come to the Selectboard. A process like that could be implemented for trail events. Sarah explains the Conservation Commission holds trail clearing days and that's the extent of their events. The other programs are done by the Library and Recreation Department.

Bill reminded those attending of the increasing length of the Selectboard Meetings and explained that when the Common Committee offered the Common Use Application it was a huge deal because it would take items off their agendas and reduce meeting times. Bill would like if the Library or Recreation Committee plans events on the town trails that the Conservation Commission notify abutting landowners of the events. Sarah did not want to notify abutting landowners on every existing trail as it would be extensive. Bill thought they could add people to a warning list as they raise objection. The Conservation Commission will be notifying certain landowners of events, but they don't need to do that if they are doing their regular maintenance.

Dale mentioned that the Town recreation program is growing every year. That's an area which we will have to address with a lot of notice because their numbers are increasing. Trail use is growing and at this point it doesn't appear to be impacting the quality of the trails. Bill has faith that if there was a significant use the Conservation Commission would bring it to the attention of the Board. Sarah reiterated that in the Town Plan the Conservation Commission is tasked with encouraging use of the trails and that trails are public. They are multi-use, and it should be noted that they actively ask the public not to use trails during mud-season to avoid damage and overuse.

The Conservation Commission will email the Andersons with the proposed signage. Bill asked if there was anybody on the Conservation Commission that would be willing to walk the trail with the property owners and address areas of concerns. Dale pointed out that Jim already has the access to tempting areas like the pond posted, etc. which is a good start, but we can investigate what more can be done, he wanted to emphasize his support for the updated kiosk.

Bill and Dave wanted all language regarding 'make noise' stricken from trail education publications. The Trail Guide had already been updated to strike this language; Sarah will discuss this further with the Conservation Commission. The signage will take priority, both the Conservation Commission and Andersons agreed on this. Bill thanked the Conservation Commission for their hard work and thanked the Andersons for their time to come and discuss their concerns.

### **CONTRACT WITH CCRPC FOR ADMINISTRATIVE SERVICES**

Dave and Lee had no questions. Dave Baczewski made a motion to approve the contract for administrative services for the VCDP Planning Grant, seconded by Lee McClenny. Motion passed: 3-0.

### **AMENDED STEP 2 ENGINEERING SERVICES AGREEMENT**

Amendments were done via feedback from the State. Lee McClenny made a motion to accept the amendments to the Step 2 Engineering Agreement, seconded by Dave Baczewski. Motion passed: 3-0.

### **TECHNOLOGY FOR ZOOM MEETINGS**

There are new technologies, such as the Owl Pro, available that would help town commissions and boards administer meetings in a hybrid mode. Previous discussions involved a poly-com, but it doesn't capture the video of the meetings. The Owl is expensive, so Nanette doesn't expect the Board to decide right now but wanted to provide them with the information to think about it. Dave thinks ARPA funds can be used. He's heard the Owl works quite well and feels there's no reason to not invest in better technology because Hybrid Models for meetings are likely here to stay. Dave supports the venture; Bill is curious to see it work. Bill wanted to know more about the finances of the product and services. Lee McClenny made a motion authorizing the purchase of the Owl Pro for use at Zoom related meetings and to advise the Board on the Owl Care related expenses, seconded by Dave Baczewski. Motion passed: 3-0.

### **FY'23 BUDGET REQUEST MEMO**

If there are parts of the town government that have activities that could be funded by ARPA Lee would be curious about that, but thinks fiscal responsibility is important. People should be thinking about how the pandemic isn't going away. Dave thinks it's important to communicate that we're not going to inflate the budget because of extra money. Eventually the ARPA funds will not be there. Any new items funded through ARPA will be phased into the regular budget. Strategically this money may not be available somewhere else and may not be a budget item down the road. Items like that would be ideal.

Lee had pause that some towns are funding reoccurring activities through ARPA funds, he doesn't think that's financially responsible. It's one time money and should be treated as such. There are creative ways to use one-time purchases that would not add to the budget that would be highly beneficial to the Town. Martha Heath had phrased it as we should try to use the money well within its intended purposes but should be careful if there's no other way to pay for it. Nanette pointed out that inflation may play a major factor in our budgets which Dave thought was understandable. Bill's thoughts were level funded or below. Be creative. This will be even more difficult this year because they asked for level funding or below the last year, but he still thinks it's important to ask. The budget request memo will ask for level funded or reduced budget requests.

Bill thought some of the town organizations may have access to other money outside of ARPA to capitalize on which may put them in a position where they could send the Board a lower budget and he is hopeful of that.

### **ADJOURN**

The meeting adjourned at 8:45 p.m.

Respectfully Submitted,  
Bill Cleary, Selectboard Chair

Callie Hamdy  
Assistant Town Clerk/Minute Clerk