

**SELECTBOARD MEETING
December 22, 2021
Minutes**

Present: Bill Cleary (chair) Callie Hamdy
Dave Baczewski Greg Barrows
Lee McClenny John Roberts
Nanette Rogers

Guests: See attached list

The meeting was called to order at 6:00 p.m. The meeting was held in person and via Zoom.

CHANGES TO AGENDA

Removed draft Goodrich Trail Use Agreement, added Executive Session to address attorney contracts and litigations, and a second Executive Session about personnel, added under ARPA the possibility of using ARPA funds to do a feasibility study to do a town office renovation or replacement, how the Selectboard wants to allocate the money, and understanding pros and cons to joining a communication union district (broadband).

PUBLIC COMMENT

There was no public comment.

MINUTES

Lee McClenny made a motion to approve the December 9, 2021 minutes as amended, seconded by Dave Baczewski. Motion passed: 3-0.

Lee McClenny made a motion to approve the December 13, 2021 minutes as written, seconded by Dave Baczewski. Motion passed: 3-0.

Lee McClenny made a motion to approve the December 14, 2021 minutes as written, seconded by Dave Baczewski. Motion passed: 3-0.

Lee McClenny made a motion to approve the December 16, 2021 minutes as written, seconded by Dave Baczewski. Motion passed: 3-0.

ROAD SCHEDULE

John Roberts, Road Foreman reviewed the December 10, 2021 through December 22, 2021 Road Schedule. Lee McClenny made a motion to approve the Road Schedule, seconded by Dave Baczewski. Motion passed: 3-0.

DISCUSS CHANGING REGULAR MEETING START TIME TO 6PM

The Board discussed changing their start time to 6:00 p.m. to help mitigate how late meetings have been running lately when starting at the 7pm time. Lee made a motion to change the regular Selectboard meeting time to start at 6:00 p.m. instead of 7:090 p.m., seconded by Dave Baczewski. Motion passed: 3-0.

PRESENT AND SEEK APPROVAL FOR APPLICATION PROCESS & RUBRIC – ARPA COMMITTEE

Dave Baczewski, Martha Heath, George Lamphere, Bill Hill, Bree Drapa, Greg Barrows and Nanette Rogers from the ARPA Committee were present. Dave presented the Committee's work on their Phase I, Phase II, and rubric for the ARPA funds application. Bill Cleary looked at the documents and thought they were very professional.

The Committee has had three meetings where they have worked on the Phase I & Phase II applications and rubric. At their last meeting they used a simulation to go through the process to test the documents. George Lamphere explained the Phase I and Phase II applications in detail. He further explained that each applicant would have a mentor to help them through Phase II at which time it will be submitted to the ARPA Committee who will take it through the rubric. The Committee will produce a recommendation, which could result in submitting the application to the Selectboard for their decision. The result of Phase I and Phase II is to have a well-developed project and a well scored out recommendation to provide the Selectboard.

Bill Hill presented the rubric. The rubric gives the Committee a set of questions to talk about a given idea and raises other points of discussion allowing for varying viewpoints on a particular project. All the content comes from the two input forms, but Bill reiterated that dialogue with the applicant would also be required. The first page is structured around the "can we" while the second page focused on the "should we" of spending the ARPA funds.

Bill Hill pointed out that the Committee is committed to transparency so feels their scoring cards should not be anonymous to each user. They feel that differing opinions could generate productive discussion and allow people to come to different understandings than they did the first time they scored the project, allowing the members to change their score if they so wish. They also want to be transparent with the Selectboard when there are major points of disagreement as they feel that is important information. Dave reiterated that all the Committee meetings are publicly warned and able to be attended publicly just like Selectboard meetings, so this is another level of transparency.

George Lamphere explained that the Committee does not know how many applications they will get. They do not know if the applications are going to be easy cases or controversial or complex. The Committee is recognizing this now because they do not want to build a process that is too focused on one area or another.

The Board and the Committee discussed the importance of executability of projects and balancing evolving as time goes on so they can spend the money and not changing the process too much once beginning to preserve fairness. Dave feels their decisions will be impacted on where they fall on the ARPA timeline, but long term and for now things should be kept equal.

Bill Cleary asked if the Committee has the bandwidth to work with individual applicants that may need assistance. George believes they do to start but will not know until they begin receiving applications. The complexity of a project is also a factor. Lee and Bill Cleary complimented the Committee's work. Lee McClenny made a motion to approve the Phase I, Phase II, and rubric application, seconded by Dave Baczewski. Motion passed: 3-0.

FEASIBILITY OF USING ARPA FUNDS TO RENOVATE OR REBUILD TOWN OFFICE

There has been public interest in renovating, rebuilding, or relocating the town office which is in dire need of expansion. Dave feels this could potentially fall under ARPA funds. Dave wanted to determine the Board's interest of can we, should we, etc. He wanted a feasibility study of if it was possible to look at it from an ARPA perspective.

George Lamphere feels it is a common theme that we have accessibility, space, and health constraints with the existing building. So, using some ARPA fund, if it can be done, really represents an excellent opportunity for the Town to get a picture of what things could look like. It would not be anything to do with construction as that would require voter engagement, public comment, and bond vote, but understanding what we have now and what we could have in the future. George could see where the Town could hire an architectural firm that has experience with municipal buildings and workspaces and renovations of older buildings. Let the firm handle that and report back. Dave confirmed this does fall under the type of project that ARPA funds could be used for, but it is also important to keep it in the public eye and in the public process.

Nanette feels it is a justified project. The office is small, and employees are already very challenged in social distancing properly. If heating and cooling system were replaced it would require quite a bit of reconstruction work. Right now, the only thing that can be done is adding filtration systems, which are more of a temporary fix. With the pandemic it really opened our eyes with things to take into consideration moving forward.

Lee thinks it is a good idea that we do the proposal and feels it is a good way to test the ARPA process. He reiterated that this is for a feasibility study for how we might proceed on construction; we are not talking about spending ARPA money on construction of the town office. Bill had no objection.

PROS AND CONS OF JOINING A COMMUNICATION UNION DISTRICT

Broadband was a high priority ask from residents. Dave spoke with Mark Drapa and if the Town wants to be effective in broadband, we cannot do it on our own. Westford needs to join a larger entity. Such as a Communication Union District (CUD). Dave has asked Mark to help get the right people in front of us so we may understand the pros and cons of joining a CUD to help us understand how we can use ARPA funds to accomplish broadband projects. It potentially opens us up for further ARPA funding from the State. The large pot of money that can make a big difference in broadband is being funneled into the CUDs and if a town is not part of one of the nine CUDs it will miss out on those funds.

METERING OF ARPA FUNDS

The Town has received \$300,000 in ARPA funds and in the summer will get another \$300,000. Do we want to set up limitations so that great projects years from now are not without funding, but understanding there are end dates for ARPA funds to be allocated and spent? Lee thought that we shouldn't create a framework that we don't need, we should hit things as they come in to get everything all spent and not to overburden those that are working on these projects. Bill Cleary asked Dave if he knows if we are going to get any big asks. That will help Bill decide if we need metering. George Lamphere mentioned the Planning Commission is looking to see if ARPA funds may benefit the wastewater project. He added that any committee or town organization could all probably sit down and have a legitimate discussion on what they are doing and if ARPA could help them with those items. It could benefit them all to be told the process.

RECOMMENDATION FROM HEALTH OFFICERS FOR MASK MANDATE

The Health Officers, Tina Shoup and Devin Porter, wrote a letter to the Selectboard recommending the Board institute an indoor mask mandate for the public buildings. They listed the risk from the Delta surge, potential risk of the oncoming Omicron variant, the strained Vermont hospital system, and Chittenden County's high community transmission rate as reasons the Board should reconsider their previous position. They state that it is impossible to know if individuals are vaccinated or if they are carrying COVID when they enter the public buildings. There is no way to know if other community members who may be in that same space are at high risk should they get COVID, nor is it possible to know if those individuals have high-risk family members. Masking is simple and easy, and by requiring masks in indoor public spaces the Board would be doing all they can do as town officials to help limit the spread of COVID.

Lee met with Tina and Devin. They reiterated their belief to him that a mask mandate is the way to go. They had a conversation whether it is necessary to have a mandate or to encourage the usage of masks more. Lee remains opposed to mandating masks. He thinks people should use masks everywhere that they possibly can, but there may be ways we can encourage usage versus mandating them. Bill agreed with Lee, he feels it is a divisive issue. Dave felt the same. Lee wanted to consider a proposal to go back to Tina and Devin, he would like to suggest that we ask them if they could provide some best practices for neighborly passive and semi-active encouragement to visitors of buildings. Do we make masks available? Change the wording on our signage? Bill and Dave had no objection. Lee will reach out to Tina and Devin.

SUMMARY OF MEETING REGARDING HVAC SYSTEM AT TOWN OFFICE AND LIBRARY

Lee met with Health Officers Devin Porter and Tina Shoup regarding the HVAC system at the Town Office and Library. For a relatively small sum, and quickly, it is possible to install advanced and more powerful filters on the HVAC system and UV light systems inside the HVAC system that will do a very good job of screening/killing the biological matter that passes through the system. There is still a pending question for Devin of: how long it takes for every molecule of air in the Town Office to be passed through the system and be breathed again. Devin is working on the calculation, but estimates were encouraging, around thirty minutes to one hour for full cleaning. The estimate for installation was under \$1,000 to install and under \$1,000 per year for maintenance, approximately. \$250 a quarter. Bill's only question was we decided when we moved forward with this that we would appropriate some ARPA funds for that, so the number is coming in lower than we anticipated. But we are adding in an operational maintenance fee that ARPA will not cover. Bill asked if there is a way to buy filters ahead of time and store them. There was, but then town office personnel will need to install them. If we stockpile and Mayhew comes out there would still be an installation fee. Is this something we want to levee on the administrative staff? Lee says there is something to be said for institutionalizing something and just having it done. Bill thought that stockpiling would be a good idea to help push out the reoccurring town expense as far as possible. The Board agreed to move forward with the project. Lee will continue to report back.

DECEMBER 17th DOG COMPLAINT

There was a dog incident on December 17th. A loose dog ran up to an individual in the Post Office parking lot and the individual, who has mobility issues, felt the uncontrolled dog presented a hazard. The Westford Postmaster related a long history of the dog periodically bothering customers. The dog lives in the apartment on the ground level of the post office building. The dog is licensed, vaccinated, and continues to get out because of a

defective/worn outdoor latch on the apartment. The property owner had been notified of the issue and is working on getting a contractor to the building to resolve the issue with the door.

Lee thought that while there had been some past occurrence where the dog's exuberance had created concern, the owner had licensed and vaccinated her dog and that this did not warrant further fine. Bill agreed. There was perhaps less here than meets the eye, but the complaint was filed by the postal service. Nanette will get a letter to the dog owner reminding about responsibility for dog behavior.

DRAFT CAPITAL BUDGET

The Board discussed the Draft Capital Budget. Nanette and Greg made the changes previously discussed. In the Fire Department section with the excess funds, they tried to take the money and spread it out differently to smooth out the peaks and valleys of the individual asks for the year. The Board discussed the reallocation of the Highway surplus over a period. Do they feel comfortable enough to give back a larger chunk of money out front or do they want to hedge it out over time? Dave feels that going with \$10,000 per year helps future Selectboards. No objections. Regarding the Fire Department something Greg and Nanette had discussed was the flattening of that curve.

For the Library it is very straightforward, FY'23 will be the first year funds will be put into their Capital Budget Reserve Fund and based on their request. This fund will cover maintenance costs. The Rec Department is similar. Bill hopes the Capital Budget makes people happy as we have found a way to give back.

Nanette would like to schedule the public hearing for January 13th, which is the next regular Selectboard meeting so it can be finalized for the Town Report. The Board was confident with the Capital Budget. Nanette will warn the public hearing.

LIBRARY FUEL TANK

Vicky Ross, Library Trustee, was present. The fuel tank in the Library needs to be replaced. Maheux on their normal service call discovered signs that the tank will fail soon, and it would behoove us to move forward with replacement. They quoted us \$3,200 and recommended moving the tank to a better location. Another \$700 would cover the removal of the old tank. Maheux indicates that they could do the work in January. One thought was that this could be like the septic tank issue where it needed to replacement and had not been budgeted for. Nanette was not sure the Library has funds in their budget for this expense and thinks funds from the Contingency Fund can be used. Vicky explained they have not budgeted for this and have no excess funds for this. Lee McClenny made a motion to approve the Library Board of Trustees to spend up to \$5,000 for replacement of the current oil tank and replacement of the old one, seconded by Dave Baczewski. Motion passed: 3-0.

DRAFT FY'23 BUDGET

The Board discussed the draft FY'23 budget. The items moved around in the Capital Budget have been included in this draft. The Board has yet to decide what to do with the FY'21 surplus funds.

The Board discussed using some of the fund balance to slowly bring down taxes over the course of several years. Paying off a couple of the town trucks early are also a good option and would reduce money needed for budgeting. It would leave the tax rate about where it is currently calculated. If the truck loans are paid off, we would not have to budget them

throughout that fiscal year. Bill had no objection to paying off the excavator loan, he does not know if paying off everything is being too aggressive, but it does help two other tax years. Dave feels it is a balance of risk. Do we keep a little surplus or is there more bang for the buck to pay off debt? He would be curious to have a budget that does not require a surplus to offset the tax rate and balance that remaining surplus overpaying off some debt and maintain the rainy-day fund for an amount indicated by the Auditors. He felt getting rid of the debt of the excavator was reasonable. Bill felt a combination was the right route, not wanting to use too much of the funds in one fiscal year. If the Town paid off two vehicles it would have approximately \$74,000 of excess fund balance that could be portioned out, which would be up to future selectboards. If the Town relies on going with the same divided across five years, there is a chance that more surplus may end up in there anyway. Greg explained we have had surpluses for the past several years. Without paying down the loan payments as it stands there was already a decrease in money to be raised by taxes. Bill felt this is aggressive enough, they had put in \$42,000. Dave thought \$42,000 was a lot of money. Even reducing the money to \$20,000 it was still a decrease; however, we are sitting on a bunch of taxpayer money.

Dave agrees that \$250,000 is a good number for the contingency fund. He also agrees that we should give surplus back to reduce the tax rate but feels that this should be done slowly. He wants to make sure we do not give back too much, leaving us without potential needed surplus. He also wants to be happy with the budget and then decide to bring money in to offset it.

The budget was increasing significantly from last year, a big chunk of that from the Highway Department. Dave's question is are we going to include the \$2,400 for the Planning Commission Minute Clerk? The Board reduced the DRB Minute Clerk to \$1,000 and the Planning Commission Minute Clerk to \$2,000. Bill feels the Planning Commission's aggressive agenda has created extra work for everybody in town and he honestly thinks Melissa does need the help, she is stretched incredibly thin. He feels it was created by the Planning Commission and he would be hopeful in the future that they realize the work they are creating when they take on certain projects and if they are not willing to internalize that work to a certain degree the Selectboard should rein them in. Bill feels Melissa's request for an assistant would need to be revisited if the wastewater bond vote does not go through, although Melissa indicates that the need would still be there regardless.

The large increase from Essex Rescue did not help regarding our budget increase. The Planning Commission had also asked for an increase for legal and professional fees and will need more of that if wastewater goes forward. Dave feels the problem is when you look at each request in isolation, they are reasonable but together they add up.

Paving of Old Stage Road is budgeted for \$42,000, which represents the Town's portion of the cost if a grant is awarded. Greg suggested removing the \$42,000. If a grant is awarded, the Highway Budget would be over budget but funds from the surplus can be used to cover the overage. This would then be a reduction of 1.33% in the budget. The Board agreed that this was the right route as this preserves the necessary request and salary increases and would not take away any donations.

The Board discussed using \$20,000 of the FY'21 surplus to offset the amount to be raised by taxes which would result in an almost 2% decrease and still leave a healthy reserve. We would also be raising less in taxes overall which could help reduce the excessive reserve.

2021 GRAND LIST ERRORS & OMISSIONS

Lister Caroline Brown submitted the 2021 Grand List Errors & Omissions. There was one Error and Omission and two homestead classification changes, which changed parcels from non-residential to residential. Lee McClenny made a motion to accept and approve the Errors and Omission as submitted by the Lister for the 2021 Grand List, seconded by Dave Baczewski. Motion passed: 3-0.

CORRESPONDENCE

There were no correspondences.

COMMUNICATION

There were no communications.

ACCOUNTS PAYABLE & PAYROLL WARRANTS

Greg Barrows, Treasurer, reviewed the accounts payable and payroll warrants.

EXECUTIVE SESSION

Lee McClenny made a motion to go into Executive Session at 9:12 p.m. for a matter of litigation, seconded by Dave Baczewski. Motion passed: 3-0. People in attendance were Bill Cleary, Lee McClenny, Dave Baczewski and Nanette Rogers. The Board exited Executive Session at 9:45 p.m. No action taken.

EXECUTIVE SESSION

Lee McClenny made a motion to go into Executive Session at 9:45 p.m. to a personnel matter, seconded by Dave Baczewski. Motion passed: 3-0. People in attendance were Bill Cleary, Lee McClenny, Dave Baczewski and Nanette Rogers. The Board exited Executive Session at 10:11 p.m. No action taken.

ADJOURN

The meeting adjourned at 10:11 p.m.

Respectfully Submitted,
Bill Cleary, Selectboard Chair

Callie Hamdy
Assistant Town Clerk/Minute Clerk

GUEST LIST

George Lamphere
Bill Hill
Bree Drapa
Ben Bornstein
Martha Heath
Jamie Hazen
Vicky Ross

**TOWN OF WESTFORD HIGHWAY DEPT.
ROAD SCHEDULE
December 10, 2021 – December 22, 2021**

Work to be done

- Plow and sand when needed.
- Brush cutting.

Work completed

- Graded a few sections of road and patched potholes.
- Sanded and plowed several times.
- Cut a few trees that came down during a snowstorm.
- Service the last truck and loader.
- Repair work on the 2020 International.

Approved at the 12/22/21 Selectboard Meeting.