

SELECTBOARD MEETING
February 10, 2022
Minutes

Present: Bill Cleary (chair) Callie Hamdy
Dave Baczewski Greg Barrows
Lee McClenny 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

Added risk assessment questionnaire for community wastewater system State ARPA Grant and Planning Commission resignation.

PUBLIC COMMENT

There was no public comment.

MINUTES

Lee McClenny made a motion to approve the January 27, 2022 minutes as amended, seconded by Dave Baczewski. Motion passed: 3-0.

ROAD SCHEDULE

Bill Cleary reviewed the January 28, 2022 through February 10, 2022 Road Schedule. Lee McClenny made a motion to approve the Road Schedule, seconded by Dave Baczewski. Motion passed: 3-0.

PLANNING COMMISSION PROJECT UPDATE

George Lamphere from the Planning Commission (PC) was present. Green Mountain Engineering (GME), the lead contractor for the wastewater project, has informed the Town that they are ceasing operations as a company on February 15th. The PC has sent a request to GME asking that they complete several deliverables stated in their contract. Melissa and the State are exploring how to bring a new firm onboard.

Bill asked what contractually obligated means if GME does not have staff. George pointed out he is not a lawyer but explained that if a company defaults on a contract the company can be sought after for damages if warranted. Until GME responds to the request regarding the deliverables, the PC does not know what GME's plan is. Bill asked if the Town could start looking for other firms while negotiating with GME. George believes so but is waiting on guidance from the State. The State has been clear that the Town needs to remind GME of their contractual obligations.

The Town has benefited from GME's consultant subcontractors, Stone Environmental and Birch Line Consulting, who have been involved in the project since the beginning. They have expressed interest in seeing the project to completion. The PC is hoping to keep the consultants on board as part of the next engineering contract. Engineering firms are very busy, therefore there is probably not enough bandwidth to support all the infrastructure projects that are in the works. Having the consultants continue with the project may be enticing to a potential firm because the consultants are familiar with the project.

In addition to the Northern Borders Regional Commission (NBRC) Grant, the Town has been awarded up to \$2.377 million dollars from a State ARPA Grant. Due to funding restrictions and limitations that are attached to the Northern Borders Grant, and to maximize funding of both grants, the State has encouraged separating the project into two simultaneous projects. If separated, the Town would use the ARPA Grant for the collection system and the Northern Borders Grant for the disposal system. The full amount to be funded is dependent on the final cost projections of the projects.

Lee asked if there is a municipal participation requirement for the State ARPA funds. George advised there is a match requirement adding that the State and NBRG have always maintained they support projects where towns have "skin in the game" because they want to make sure communities are supportive and that they are financially part of the improvements and infrastructure. The PC requests the Town put aside municipal ARPA funds to help cover a match which would make a difference on the affordability scale for the Town and users. Dave does not believe that the language of "match" can be used regarding ARPA funds and the State cannot demand an ARPA match. George clarified that the PC is asking for the Town to set aside funds for the wastewater project, it is not related to the State ARPA Grant.

Bill thought that the NBRC Grant was contingent on the fact that no more than 80% of the funding for the project could be from federal funds. George explained it is a bit more complicated than that and it will be easier to run scenarios once they have final numbers. Breaking the wastewater project into two separate projects will help mitigate some of this. Bill thinks that the amount of money being awarded may win over voters who were leaning toward voting no on the project.

George gave an update on the preliminary engineering report. Based on soil boring results, a drip dispersal system will be added to the PER. GME and the PC feel it is the most viable route for the Town. The Board expressed gratitude for the PC's efforts in seeking the best financial options and engineering for the Town.

Barb asked for clarification regarding the municipal ARPA funds. Is the PC requesting setting aside all the funds for the wastewater project, and if so, what happens if the project is voted down? Dave explained that the request will need to go through the ARPA Committee who will then make a recommendation to the Selectboard. Municipal ARPA funds must be obligated by December 2024 and spent by December 2026. The Committee will take this timeline into consideration when vetting requests. If the voters vote no, the funds can be reallocated providing the action falls within the deadlines.

TREE WARDEN APPLICANT

Owen Jacobs submitted a letter of interest in the Tree Warden position. Dave Baczewski made a motion to appoint Owen Jacobs Tree Warden effective Town Meeting Day when the current Tree Warden's term expires, seconded by Lee McClenny. Motion passed: 3-0.

PLANNING COMMISSION RESIGNATION

Koi Boynton submitted her resignation from the Planning Commission. Bill thanked Koi for her service and wished her well in future ventures. George Lamphere pointed out that Koi contributed significantly to the Commission and will be missed. Lee McClenny made a motion to accept Koi's resignation, seconded by Dave Baczewski. Motion passed: 3-0.

GOVERNOR'S CELL PHONE TOWER INITIATIVE

Governor Phil Scott recently pledged to build one hundred new cell phone towers in Vermont. Bill thought it would benefit Westford to present our interest to the Governor. There are many areas of town that lack cell service.

Based on conversations Barb Peck has had with Verizon Wireless, some parts of Westford are amongst the largest areas that lack cell reception in the state. The Board would like to ask Representative Alyssa Black, Senator Thomas Chittenden, and Planning Commission members George Lamphere and Seth Jensen to assist with requesting the State to consider Westford for one of the locations for a cell tower. Lee will draft a letter.

CCRPC LAMOILLE BASIN WATER QUALITY COUNCIL APPOINTMENT

Kate Lalley, Zoning Administrator, has agreed to be appointed to the CCRPC Lamoille Basin Water Quality Council. Dave Baczewski made a motion to appoint Kate Lalley as Westford's CCRPC representative for the Lamoille Basin Water Quality Council, seconded by Lee McClenny. Motion passed: 3-0.

MARCH MEETING SCHEDULE

Due to a scheduling conflict with the March 24th meeting, the meeting will be moved to March 31st.

CORRESPONDENCE

Board members are receiving several calls regarding loose dogs. The Town desperately needs a Dog Warden. The Board would like to see the Ordinance enforced with the issuance of fines. Nanette was asked to post a reminder on Front Porch Forum regarding licensing dogs.

Bill has been communicating with Maureen Wilcox; she wanted to know how the parking areas on the common were approved. It was pointed out that the parking areas have been there for a long time and that the Town is very protective of the common; any request to add parking would not be taken lightly. Lori Johnson feels the concern stems from the town master plan, which shows parking all along the common.

COMMUNICATION

Nanette will repost the Dog Warden position and due date for dog licensing on Front Porch Forum.

RESPONSE TO REQUEST OF ACCOUNTING TO DATE OF FUNDS SPENT ON THE PROPOSED WASTEWATER SYSTEM

Barb Peck submitted a request for an accounting to date of funds spent on the proposed wastewater system. Greg reviewed a report he created. Over the course of six years, the Town has spent \$111,881. The Town is waiting for reimbursement for some of the expenses. It was noted that some have been paid using the PC's Special Project Fund. Barb asked about expenses prior to six years, explaining that the PC has been working on the project since 2008. Greg will need to consult with Melissa. Nanette added that the prior expenses were probably not separated out like the current expenses have been, therefore it will require quite a bit of research to identify them.

Lori Johnson asked Greg if the report will be made available to the public and, if so, where will it be published. Dave pointed out that Barb's request is not a public records request. The

Town can answer questions, but it does not want to get caught up in making a public record out of public records, therefore the Town must be careful with the process. He feels Barb asked a great question, but a public records request is different than what is being discussed, clarifying that Barb did not have access to the public records and did not have all the documents in front of her. He noted that the Town is trying to be transparent, adding that responding to Barb's request has taken a lot of effort. It was decided that Greg's document will be provided to Barb, but it will not be put on the Town's website or Front Porch Forum. It is available if someone requests it.

**RISK ASSESSMENT QUESTIONNAIRE FOR COMMUNITY WASTEWATER SYSTEM
STATE ARPA GRANT**

Accepting the State ARPA Grant requires completing a risk assessment questionnaire, which is similar to the one done annually regarding the Town's accounting practices. Greg reviewed the questionnaire with the Board. Dave Baczewski made a motion to approve the risk assessment questionnaire as briefed, seconded by Lee McClenny. Motion passed: 3-0.

ACCOUNTS PAYABLE & PAYROLL WARRANTS

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

ADJOURN

The meeting adjourned at 7:55 p.m.

Respectfully Submitted,
Bill Cleary, Selectboard Chair

Callie Hamdy
Assistant Town Clerk/Minute Clerk

GUEST LIST

Ben Bornstein
Sheila Franz
Joseph Franz
Lori Johnson
Dave Lavallee
Barb Peck
George Lamphere

TOWN OF WESTFORD HIGHWAY DEPT.
ROAD SCHEDULE
January 28, 2022 – February 10, 2022

Work to be done

- Plow and sand when needed.
- Brush cutting.

Work completed

- Sanded and plowed several times.
- Pushed snowbank back in several areas.
- Repair work on the 2017 Western Star. (Replaced the bed chain gear box and shaft)
- Repair work on the 2014 Western Star. (Changed the radiator, fan belt)
- Unplugged a culvert on Plains Rd.
- Put "Bump" signs up around town.
- Bathroom demo/ remodel.

Approved at the alpha Selectboard Meeting.