

**SELECTBOARD MEETING**  
**March 31, 2022**  
**Minutes**

Present:	Lee McClenny (Chair) Dave Baczewski Bill Cleary Greg Barrows	Callie Hamdy Nanette Rogers John Roberts
Guests:	Martha Heath Barb Peck Ben Bornstein Heather Rodriguez	Lori Johnson Bree Drapa Pat Hechmer Joe McLean

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

**CHANGES TO AGENDA**

There were no changes to the agenda.

**PUBLIC COMMENT**

There was no public comment.

**MINUTES**

Dave Baczewski made a motion to approve the March 10, 2022 minutes as written, seconded by Bill Cleary. Motion passed: 3-0.

**ROAD SCHEDULE**

John Roberts, Road Foreman, reviewed the March 11, 2022 through March 31, 2022 Road Schedule. Dave Baczewski made a motion to approve the Road Schedule, seconded by Bill Cleary. Motion passed: 3-0.

The Town has received complaints regarding the brush cutting on Woods Hollow Road. John drafted a notice to be posted on Front Porch Forum to explain why brush cutting occurs. The Board provided suggested edits before it be posted. Lori Johnson was present; she took issue with the way the trees were being cut and damaged. John explained that many of the roads have not had routine roadside brush cutting done. The branches on larger trees need to be cut because busses, town trucks, and other tall vehicles are hitting the branches. Once the roads are on a better schedule, there will be less cutting of mature trees. Barb Peck stated she is familiar with the machine being used. She understands what both sides are saying. She suggested the Town contact the Tree Warden for his opinion of the trees that were cut.

John mentioned that for the number of people who have complained, there are twice as many who have complimented the work being done because it opens up the road for sight distance. Bill pointed out that using the machinery is the most efficient and cost-effective way of cutting the brush and feels that residents would rather that occur than chemical manipulation which would be running into the ground and waterways.

**ANNUAL HIGHWAY FINANCIAL PLAN**

Every year the Town files a financial plan for the upcoming fiscal year based on the budget approved by the voters. The state provides a per mile cost which is multiplied by the number of miles for class 2 and class 3 roads. The state uses these numbers to determine how much

aid to give to towns. Bill Cleary made a motion to approve the Annual Financial Plan for Town Highways, seconded by Dave Baczewski. Motion passed: 3-0.

### **FY'23 OLD STAGE ROAD REPAVING GRANT APPLICATION**

This is a grant application to repave a section of Old Stage Road, which was last paved in 2004, and to replace cross culverts. Dave made a motion to approve the FY'23 Municipal Class 2 Roadway grant application for Old Stage Road, seconded by Bill Cleary. Motion passed 3-0.

### **TOWN ROAD & BRIDGE STANDARDS CERTIFICATE OF COMPLIANCE FORM**

As part of the Old Stage Road grant application, the Town needs to certify that it has adopted and is complying with the 2019 Town Road and Bridge Standards that were adopted in 2019. Bill Cleary made a motion approve and sign the Certificate of Compliance, seconded by Dave Baczewski. Motion passed: 3-0.

### **ARPA UPDATE**

Bree Drapa and Martha Heath from the ARPA Committee gave an update on the Committee's work and recent changes to the Final Rule, which goes into effect April 1<sup>st</sup>, 2022.

Under the original rule there were limited options for how the awarded funds could be used. The new rule allows municipalities to take up to \$10,000,000 as lost revenue. This option cuts down on administrative time and allows flexibility in spending. Does the Selectboard want to claim all or a portion of Westford's award as lost revenue? The ARPA Committee recommends that the entire award be considered lost revenue because it simplifies the reporting.

Another question to consider is, does the Selectboard wish to keep the ARPA Committee? As their charge has changed, they are no longer needed for the "can we" aspect of the ARPA money but they would still like to be part of the "should we." If the Board wishes the Committee to continue, the Committee would like some guidance, such as if the Board has any projects or categories that the Committee should be prioritizing. If no list is provided, would the Board like the Committee to use resources, such as the Town Plan, results from the Westford's Future surveys, etc.?

Lastly, does the Selectboard have a timeline for when they want the funds distributed? Since the Town now has the option of using the funds for loss revenue, there may be a longer timeline for spending the money. Would the Board like to spend all the funds in one round or hold back some for projects that may come up? Should there be multiple rounds of applications?

Nanette stated that she recently attended an ARPA VLCT webinar. Katie Buckley, Director of VLCT's ARPA Assistance and Coordination Program, strongly encourages municipalities to take the ARPA funds as loss revenue. Bill feels that taking the funds as loss revenue is the right move. Lee agreed and added that the Board should retain the ARPA Committee. It was noted that the Board will need more time to think about the other questions. Bill feels some money should be held back for new projects.

Bill Cleary made a motion to take the entire ARPA award as loss revenue, seconded by Dave Baczewski. Motion passed: 3-0.

Bill Cleary made a motion to keep the ARPA Committee intact and thanked them for their work, seconded by Dave Baczewski. Motion passed: 3-0.

Ben Bornstein asked what type of compliance reporting is required. Dave explained that Greg Barrows, the Town Treasurer, is on the Committee and will be submitting the annual report to the federal government. The Selectboard will discuss and provide guidance to the ARPA Committee at their next meeting.

#### **1705 ROUTE 128 PROJECT – AMENDED VCDP SCOPE OF WORK & TIMELINE**

Melissa provided an amended scope of work and timeline for the 1704 VT Route 128 Project for the Selectboard to consider. After the original plan was met with opposition, the project leaders re-examined the project goals and work. The work is being paid through the VCDP grant funds awarded to the Town. Approximately 30% of the funds have been used so far. Dave does not see how anything moves forward without the approval of the amended scope of work and timeline. Barb Peck advised that she recently spoke with the River Conservancy; they are also looking at the Charlotte Vincent property. Barb has not heard anything about this from the Planning Commission, therefore is confused about what the Planning Commission's plans are. She feels there is more to the project than what has been made public. The Board was not aware that the River Conservancy is interested in the Vincent property. Barb will follow up with the Planning Commission. Dave Baczewski made a motion to approve the amended VCDP scope of work as presented, seconded by Bill Cleary. Motion passed: 3-0.

#### **RULES OF PROCEEDURE**

The Rules of Procedure needed to be updated to reflect the 6pm start time of the Selectboard meetings. Bill Cleary made a motion to approve the amended Rules of Procedure, seconded by Dave Baczewski. Motion passed: 3-0

#### **CORRESPONDENCE**

Dog issues were prevalent in correspondence. Board members have dealt with multiple dog issues the past few weeks. A Dog Warden is desperately needed. Often, dogs are not registered or not wearing a tag to quickly identify and reunite them with their owner. It is unfair that there is not a place to kennel these dogs instead of being held at a private residence. Lee pointed out that Westford's Dog Ordinance is part of state law which requires all dogs to be licensed and vaccinated against rabies; unfortunately, the ordinance has not been enforced well. He feels that the Town should be more formal and legal about the enforcement.

#### **COMMUNICATION**

An explanation regarding roadside brush cutting will be posted on Front Porch Forum and sent to the person who requested a response.

The Town will stress education on why licensing dogs is necessary.

#### **POLICY FOR PROPERTY TAX PAYMENTS TIMELY BUT THE CHECK IS WRITTEN INCORRECTLY**

Greg explained that it is not uncommon to receive property tax checks written amount does not match the numeric amount. He worked with MJ and Marge to draft a policy to address checks that are written incorrectly. Bill noted that the policy does not mention what method of communication is used. Greg advised that if there is not a phone number on the check, staff looks through other town records to find contact information to notify the taxpayer.

Bill Cleary made a motion to approve the procedure policy regarding property tax checks written out incorrectly, seconded by Dave Baczewski. Motion passed: 3-0.

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

Greg Barrows, Treasurer, reviewed the FY'23 expense and budget status reports. The Board signed the accounts payable and payroll warrants.

#### **EXECUTIVE SESSION**

Lee McClenny made a motion to enter Executive Session at 7:48 pm to discuss personnel, seconded by Bill Cleary. Motion passed 3-0. People in attendance were Lee McClenny, Dave Baczewski, Bill Cleary, Nanette Rogers, and Heather Rodriguez. The Board exited Executive Session at 8:10p.m. Bill made a motion to offer Heather Rodriguez the Rec Coordinator position, seconded by Dave Baczewski. Motion passed: 3-0.

#### **EXECUTIVE SESSION**

Dave Baczewski moved to find that premature general public knowledge of reasonably probable civil litigation, of which the Town may be a party, would clearly place the Town at a substantial disadvantage by disclosing to potential party opponents the Selectboard's response to, and strategy regarding, the reasonably probable litigation, seconded by Bill Cleary. Motion passed: 3-0.

Dave Baczewski made a motion to enter Executive Session to consider reasonably probable civil litigation of which the Town may be a party, seconded by Bill Cleary. Motion passed: 3-0. People in attendance were Lee McClenny, Dave Baczewski, Bill Cleary, Nanette Rogers, and Joe McLean. The Board exited Executive Session at 8:44 p.m. No action taken.

#### **ADJOURN**

The meeting adjourned at 8:44 p.m.

Respectfully Submitted,  
Lee McClenny, Selectboard Chair

Callie Hamdy,  
Minute Clerk

**TOWN OF WESTFORD HIGHWAY DEPT.  
ROAD SCHEDULE  
March 11, 2022 – March 31, 2022**

Work to be done

- Brush cutting.
- Grade roads when weather permits.
- Put the summer tires on the trucks.

Work completed

- Sanded and plowed several times.
- Brush cutting on Old Stage RD, Woods Hollow RD.
- Graded parts of Brookside RD., Old Stage RD., Woods Hollow RD. and Huntley RD., Osgood Hill RD.
- Hauled is gravel for road work.
- Removed wing plows from 2 trucks.

Approved at the 3/31/22 Selectboard Meeting.