

**SELECTBOARD MEETING**  
**May 12, 2022**  
**Minutes**

Present:	Lee McClenny (Chair) Dave Baczewski Bill Cleary Greg Barrows	Nanette Rogers John Roberts Callie Hamdy
Guests:	Maria Barden George Lamphere Vicky Ross Lori Johnson Dave Lavallee,	Sarah Pinto Ben Bornstein Francois Ross Kati Anderson

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

**CHANGES TO AGENDA**

Added Acknowledge Receipt of Recommendation of Planning Commission Vacancy Appointment and Zoning Administrator resignation to discussion and added an Executive Session to the end of the agenda.

**PUBLIC COMMENT**

Sarah Pinto from the Conservation Commission wanted to know what the Schultz Trail litigation was about. Nanette mentioned while their attorney has indicated that litigation may happen, nothing has been filed yet. The list of restrictions and limitations the property owners seek are expansive and more than the Selectboard find acceptable. The Board has been trying to seek common ground to come to a solution. Lee feels the Board will soon conclude what is best for the Town. Sarah would like as much information as could possibly when it is available. She also asked if there is anything that has been previously litigated regarding the trail with previous owners. Lee was not sure how to best answer that question. Litigation with the previous owner gives the Town clear use of the right of way. It now currently comes down to smaller details of that use such as time, season, place, type of use, etc. Sarah found this information helpful. Sarah asked to be notified when things can be revealed to the public.

Lori Johnson was present to update the Selectboard on two changes that occurred last year. The first having the ability to request use of funds upon the Treasurer and Town Administrator approval. Recently the trees on the common were mulched. This process made it much simpler and expedited the project. The other is the Common Use Policy and application. The new process has been utilized and has been successful in streamlining the process. She thanked the Board for implementing the new processes.

**MINUTES**

Dave Baczewski made a motion to approve the April 28, 2022 minutes as written, seconded by Bill Cleary. Motion passed: 3-0.

**ROAD SCHEDULE**

John Roberts, Road Foreman, reviewed the April 29, 2022 through May 12, 2022 Road Schedule. Bill Cleary made a motion to approve the Road Schedule, seconded by Dave Baczewski. Motion passed: 3-0.

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

Greg Barrows, Treasurer, reviewed the FY'22 expense and budget status reports. The Board signed the accounts payable and payroll warrants.

### **PLANNING COMMISSION PROJECT UPDATE**

George Lamphere, Planning Commission (PC) Chair, was present to discuss project updates. Starting with 1705, the property owner and Vermont River Conservancy (VRC) are in discussion for an options agreement. The brownfield assessment and the development of the corrective action plan are continuing to develop with Chittenden County Regional Planning (CCRPC).

There has been significant public interest about the project, both for and against. The conversation centers on how to maintain Westford's rural character. The PC wants to maintain the rural character of the community. Many residents have expressed interest in small-scale commercial buildings, expanding the town office, affordable housing, and river access. The Planning Commission needs to strike a balance between what different members of the community want in a thoughtful way. They look forward to holding the next outreach meeting in late June to share the latest conceptual plan for the project.

It is important to note that whoever purchases the property, whether it be the VRC or a private owner, they will be responsible for developing the final site plan that is in accordance with Westford's Land Use & Development Regulations. The conceptual plan being worked on is a way to collect ideas and collaborate with the community, it is not a final site plan. Bill thinks that George is alluding to the last PC meeting getting quite heated. The Board received an email about it. The members of the Board have watched the recording and it is their opinion that there were no inappropriate actions from the PC members; rather the Selectboard feel it is the other way around. It is difficult to stay on the agenda when people try to co-opt a meeting for items not on the agenda. Bill feels that George handled the situation well. He backs George and the PC. George thanked Bill. He will be first to accept that over time they have periodically discussed how they are going to run the meeting, rules of procedure, etc. It has been a few months since he started re-reading the rules of procedure therefore, they will be adding that back into the meeting process.

There was nothing alarming to report regarding Wastewater. George took a few minutes to talk about where the project is with the DEC whose work is a three-step process. Westford is currently in-between closing out Step 1 and starting up Step 2. Step 1 status is our engineer at the DEC is closing out the environmental information document (EID) this includes findings of no significant impact. Our engineer feels this can be completed in two weeks. There is then a 30-day public comment period after which point the engineer can file a record of decision. Once the decision is received that means Step 1 is considered 100% done and Westford can apply for reimbursement of Step 2. Delays at the State have prevented reimbursement for Step 1. George believes the DEC is trying to move as quickly as they can, however the delays at the State level has put the project at potential risk. The closing of the former engineering firm, which had a lot of projects at the State level, has left the State in an uncharted territory. Bill thanked George for the explanation. George also explained that the funding stack is coming together, and it looks positive. Westford is the first large project at the State level to go through the Clean Water State Revolving Fund ARPA dollars. Unfortunately, the process is not moving as quickly as the Town would like.

Vicky Ross was present. She asked where in the critical path is the bond vote and do we have a new target date for the vote. George replied that the PC has not yet discussed this, however it is his opinion that they were shooting for the General Election in November. However, he thinks that Town Meeting 2023 is more realistic.

#### **ACKNOWLEDGE RECEIPT OF RECCOMENDATION OF PLANNING COMMISSION VACANCY APPOINTMENT**

The Selectboard acknowledged receipt of a recommendation to fill the vacant seat on the Planning Commission. They received the recommendation recently therefore wanted more time to review the applications. The Board will discuss and act upon the recommendation at their next meeting.

#### **ZONING ADMINISTRATOR RESIGNATION**

Kate Lalley, Zoning Administrator, submitted her letter of resignation. Bill Cleary made a motion to accept Kate's resignation; seconded by Dave Baczewski. Motion passed: 3-0.

#### **SUMMARY OF MEETINGS WITH TOWN OF MILTON & SHERIFF'S OFFICE REGARDING TRAFFIC ENFORCEMENT**

Westford's contract with the Chittenden County Sheriff's Office ends at the end of this fiscal year. The Board thought it would be good stewardship and fiscal responsibility to explore options.

Vermont State Police was contacted however they have not advised if they are accepting new contractions. Essex Police Department said they would be interested however they do not have the staff to support a contract. EPD noted that their first responsibility is to Essex residents and that if a contract were entered into, the cost to Westford would be invoiced as overtime, which would significantly reduce the number of hours available.

Lee and Nanette met with the Town of Milton and Milton Police Department. Milton is also short-staffed but sees potential with working with Westford and had some interesting ideas on evaluating roads and how to mitigate. They contract with the Town of Georgia for all police services, which is more than what Westford needs. Milton will send a proposal for the Selectboard to consider.

Lee met with the Chittenden County Sheriff, which is the current contract holder. The meeting was productive meeting; they will also submit a proposal. The Sheriff's Office pointed out that with rising costs, there will be less hours available given the amount budgeted by the Town, which did not increase.

The Board will need to decide soon. It was noted there is a potential to split the responsibilities between the two parties as has done in the past.

#### **2022 TRAILS PASSPORT PROGRAM – LIBRARY & CONSERVATION COMMISSION**

Vicky Ross from the Library Trustee Board and Sarah Pinto from the Conservation Commission were present. Last year they had held a Passport Trails Program, which was very popular. They are mindful about desired transparency about the program.

They are holding the program again this year and are requesting the Selectboard's guidance. The program will look like last year's, except they will add some points of interest such as the covered bridge, Historical Society building, and other activities to promote not just trails, but

opportunities to get active in Westford. Anecdotally Vicky had been asked to do a quick passport program for the Winter Fest and people responded well. Dave echoed the popularity of the passports at the Winter Fest in which over 100 passports were picked up. He thinks it is a great way to promote different events and activities throughout Westford. The 2021 summer version was similarly successful, and the public feedback was very positive.

Kati Anderson was present. She thanked Vicky and the Library Trustees for the work, time, and effort that they donate to the Town. Kati also thanked the Conservation Commission. She appreciated that they understood the concern the Andersons had about the program. She stated the Andersons continue their opposition for anything that builds anything on the right of way or encourages or publicizes use for the Schultz Trail. She understands that people enjoy the Trail, but her family, the Town, and the Conservation Commission will continue to speak through their lawyers.

Lee asked if the Library or Conservation Commission are proposing a consultation process for the destinations for the passport programs. Vicky replied that they did not anticipate anything other than being transparent with the Board and coming to them for guidance. Bill asked if there is any way to do the program without that portion of Schultz Trail. Vicky told Kati that they think they have produced a way to secure the boxes without having to screw items into trees and that the Andersons' concerns have prompted some creative thinking. Their plan is to highlight different trails at the school than last year. It was noted however, that the diamonds and the crown of the program are Schultz, Seymour, Covey, and Goodrich trails. Including them provides a richer experience. They intend to include these trails every year and change what they choose at the school and Maple Shade Town Forest.

Ben Bornstein was present. He thinks it is a nice idea. Goodrich Trail has tremendous diversity and is easy going for the first half which he feels is more family accessible. Dale Rodgers has put a lot of work into it, which Ben has helped with. Ben thanked Vicky and Sarah. Kati Anderson thinks that Schultz is different than the other trails because it affects the property owners more as it goes through the middle of the property instead of around the borders. Lee sees her point and appreciates her coming to the meeting. He feels this is awkward conversation for the Library and Conservation Commission. He proposes the Board ask the Town attorney regarding the inclusion of the Schultz Trail in the Passport Program and will report back with a decision. Dave and Bill agreed.

The Board all expressed their support for the program. Sarah asked if there was anything that would prevent use of the trail that they need to be aware of. There was not. Lee believes the law is on the Town's side. Sarah feels they should be able to operate on the trail as previously done. Kati had heard that some of their neighbors feel the Andersons are trying to prevent use of the trail. She wanted it to be clear that is not the case, they just want to know the scope of the allowed use. Dave wanted to make sure the legal work and pending litigation does not affect how the Library and Conservation Commission feels about their successful program. Vicky asked if anybody has raised concerns about use of trails or the passport program. They had not. Vicky told Kati that she also abuts a trail, which gets lots of people, and horses so they know what it is like to share the space with a trail that people love to frequent.

John asked if Rogers Road has been included in the Passport Program and could the trails in the Milton Town Forest be included? Vicky and Sarah thought that would be a significant expansion and not what they are looking for right now.

### **CORRESPONDENCE**

The Board received a communication about the Planning Commission as described previously. Dave communicated with residents about ARPA. Lee communicated with Joe Franz about speed enforcement.

Nanette received an email requesting that a second OWL camera be purchased to resolve times when two entities are meeting and need the OWL. She was not sure if the ARPA Committee should discuss this first or if the Board is okay with purchasing a second one. It was noted that sometimes it is difficult to hear people and that a second OWL could improve the sound. Dave Baczewski made a motion to approve the purchase of a second OWL; seconded by Bill Cleary. Motion passed: 3-0.

Ben Bornstein reiterated his willingness to providing space for a cell tower on his property in town if it would help boost cell service.

### **COMMUNICATION**

Lee finished the letter to Governor Scott and Vermont House of Representatives regarding cell phone coverage in the Town of Westford. He will give it to Nanette to look over.

### **EXECUTIVE SESSION**

Dave Baczewski motioned to enter Executive Session at 7:45 p.m. to discuss a matter of personnel, seconded by Bill Cleary. Motion passed 3-0. People in attendance were Lee McClenny, Dave Baczewski, Bill Cleary, John Roberts, and Nanette Rogers. The Board exited Executive Session at 8:10 p.m. No action taken.

### **ADJOURN**

The meeting adjourned at 8:10 p.m.

Respectfully Submitted,  
Lee McClenny, Chair  
Selectboard

Callie Hamdy,  
Minute Clerk

**TOWN OF WESTFORD HIGHWAY DEPT.**  
**ROAD SCHEDULE**  
**April 29, 2022 – May 12, 2022**

Work to be done

- Grade roads when weather permits
- Start ditching on Old Stage Road
- Replace several culverts

Work completed

- Graded a section of Old Stage Road, Woods Hollow Road, Plains Road, Huntley Road, Cambridge Road, Osgood Hill Road, and Old # 11 Road
- Hand cut brush and a few trees on Woods Hollow Road and Old Stage Road
- Made small repairs to the 2014 and 2017 Western Star trucks
- Cleaned the bridge on Woods Hollow Road
- Filled potholes at the bridge on Cambridge Road and Westford/Milton Road
- Washed the shop floor
- Sprayed fluid film on the dump trucks
- Took care of green up day materials

Approved at the 5/12/22 Selectboard Meeting.