

**SELECTBOARD MEETING**  
**October 27, 2022**  
**Minutes**

Present: Bill Cleary  
Lee McClenny  
Dave Baczewski  
John Roberts

Nanette Rogers  
Greg Barrows  
Callie Hamdy

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 October 21, 2022 Minutes, Request from WNRCD for a Riparian Buffer Planting, Town Wide Reappraisal proposals and agreement, and removed Personnel Executive Session and Fairfax Rescue FY'24 Budget Request.

**PUBLIC COMMENT**

Ira Allen noted there are a few large ticket items coming up for consideration, such as a new truck, grader, and the community wastewater system. He is interested in knowing the cost of large items well in advance before voting on them so he can determine how they might impact, if any, on what he charges for rent for the rental buildings he owns.

**MINUTES**

Bill Cleary made a motion to approve the October 13, 2022 minutes as amended, seconded by Dave Baczewski. Motion passed: 3-0.

Bill Cleary made a motion to approve the October 21, 2022 minutes as written, seconded by Dave Baczewski. Motion passed: 3-0.

**ROAD SCHEDULE**

John Roberts, Road Foreman, reviewed the October 14, 2022 through October 27, 2022 Road Schedule. Dave Baczewski made a motion to approve the Road Schedule, seconded by Bill Cleary. Motion passed: 3-0.

**ESTIMATES FOR CUTTING TREES ON WESTFORD MILTON ROAD**

John Roberts, Road Foreman, advised that Fellers in Fairfax was contacted however they have not submitted a quote. Bill made a motion to accept the proposal submitted by DJ's Tree Service for the tree cutting on Westford Milton Road, seconded by Dave Baczewski. Motion passed: 3-0.

**REPLACEMENT OF 2012 GRADER & 2014 WESTERN STAR DUMP TRUCK**

John explained the grader and 2014 truck are schedule to be replaced in FY'24. He wanted to discuss the replacement because there are wait lists for equipment. If the Town gets on the spring list for the truck, the truck will be outfitted and ready for use by October 2023. If the Town waits for the later spots, the truck will not be ready until early 2024. John is waiting for a quote on the grader, including an amount for trade in of the existing grader. He is also waiting for a trade in amount for the 2014 truck.

Bill asked if now is the time to trade the 2014 truck. John affirmed it is noting that he's not sure it will make it through the winter without having to replace parts on the body. The Board wanted to know the trade in price for the vehicles before moving forward. In Bill's opinion, the grader was the single most important piece of equipment in town.

#### **WESTFORD COMMON HALL FY'24 BUDGET REQUEST**

Heather Armata and Andy Fulton from the Westford Common Hall (WCH) were present. The WCH is making a request for the second time ever because they do not know if they will receive ARPA funding for which they have applied for. They do not anticipate needing to ask the Town for funds in coming years, this monetary request is simply to get them through 2023. Their request is for \$4,500, which is level funded.

Even with funding coming from the Town the WCH is running in the red. Their goal is to meet operational costs, but it is challenging especially due to fuel costs doubling. Hiring an operational director has made a positive change but climbing out of the financial hole of COVID has been difficult despite the upward trend. Revenue has doubled since last year. They received a \$10,000 grant from the Preservation Trust and a \$3,000 grant from the VT Community Foundation. Both require a match.

#### **WESTFORD HISTORICAL SOCIETY FY'24 BUDGET REQUEST**

Caroline Brown was present. The Westford Historical Society (WHS) is asking for \$2,000 to help them cover insurance, fuel, and electricity for the upcoming year. This is level funded from the current fiscal year. Bill noted that he saw a lot of traffic in the new building during the summer concerts.

#### **WESTFORD CEMETERY COMMISSION FY'24 BUDGET REQUEST**

Lynn Gauthier was present. The Cemetery Commission is requesting \$8,000 which is level funded from the current fiscal year. Although the budget being requested is level funded, the amount includes an increase in mowing to reflect the rise in fuel costs. Lynn is asking for a slight increase in the stipend she receives.

#### **DEVELOPMENT REVIEW BOARD FY'24 BUDGET REQUEST**

Melissa Manka, Town Planner, was present. The Development Review Board (DRB) is requesting a level funded budget of \$6,825.

#### **PLANNING COMMISSION FY'24 BUDGET REQUEST**

Melissa Manka, Town Planner, was present. The Planning Commission (PC) is requesting a level funded budget of \$14,550. Melissa reviewed the grants the PC received for current projects such as investigating culvert replacement on town land, wetland delineation for the town office and library, and community wastewater. The PC feels that maintaining the \$8,000 for Special Projects was important at least for this coming fiscal year.

#### **TOWN PLANNER FY'24 BUDGET REQUEST**

Melissa Manka, Town Planner, is requesting \$65,959. The budget request reflects a decrease, which is partly due to removing the DRB Coordinator & Administrative Assistant position. This is because the Administrative Officer's (Zoning Administrator) was restructured to include processing DRB applications. The budget includes a cost-of-living increase in salary.

### **ESSEX RESCUE FY'24 BUDGET REQUEST**

Colleen Ballard from Essex Rescue was present. She provided a presentation of where Essex Rescue stands regarding their financials, funding sources, volunteers, paid staff, operational expenses, and equipment. Unfortunately, revenue from insurance claims and other sources is not keeping up with costs. Unpaid bills are being turned over to collections. Volunteerism has constant turn over due to stress and the mental toll of being a responder. Due to a significant rise in material costs, the new building that was planned is out of reach. The existing building needs repairs and one of their ambulances is scheduled to be replaced in FY'24. They are investigating other ways to fund the service and are pushing hard with the legislature to be recognized as an essential service. Essex Rescue is facing a budget deficit for FY'23. The FY'24 budget request is \$11,646, which is an increase of approximately \$5,800. Essex Rescue hopes that future increases will be for cost-of-living adjustments only.

Bill thought it was unfortunate to have two years of increases but thought that Colleen explained the reasoning well. The Board expressed their appreciation for Colleen and the work she and Essex Rescue do.

### **WNRCD REQUEST TO PLANT RIPARIAN BUFFER TREES**

Kirsten Tyler and Elias Rosenblatt from the Conservation Commission were present. Kirsten contacted the Winooski Natural Resources Conservation District (WNRCD) regarding an erosion concern in an area near one of the trails on the Town's property behind the school. The WNRCD feels this is a good project to help control erosion and is seeking permission to do a riparian buffer planting along the confluence of the Browns River and Rogers Brook. There is no cost to the Town. The application is due October 31, 2022. If approved the project would not begin until Spring 2024. Bill Cleary made a motion to approve the request from the WNRCD, seconded by Dave Baczewski. Motion passed: 3-0.

### **REQUEST TO HOLD NORDIC SKI RACE 2/4/2023 ON THE TRAILS**

BFA in Fairfax is requesting to hold another Nordic ski race February 4, 2023 on the groomed trails near the school. Last year's race was well attended and organized. Bill Cleary made a motion to approve the Nordic ski race providing that the same guidelines from last year are followed, seconded by Dave Baczewski. 3-0.

### **REQUEST FOR ARTICLE REGARDING TOWN COMMON TO BE INCLUDED ON THE 2023 TOWN MEETING WARNING**

Maureen Wilcox is proposing an article for inclusion on the 2023 Town Meeting Warning. In her opinion the town common is a wonderful asset. She strongly feels that before any additional land can be taken from the common it should be put to the voters. She along with other town residents are concerned with plans and conversations that have identified increased parking along the common and at the west end which would involve relocating the playground.

Ira Allen agreed that the common is an irreplaceable asset. He feels the old store degrades the quality of the common and would prefer to get rid of that versus adding sidewalks and traffic calming measures.

Melissa Manka clarified that there is no plan for any parking on the west end of the Common near Brookside Road. It would not be possible, nor would it meet any transportation requirements. The Conceptual Plan does depict more parking due to the lack of parking in the town center. Due to insufficient onsite parking, overflow parking for public buildings, such as

the Brick Meeting House and library, utilize the public parking areas. Parking along Common Road reduces the width of the road which could lead to issues with emergency response when there are large events. The Plan is trying to serve the current and future needs while also meeting regulation and safety standards. Maureen understands this but feels the voters should have the final say. It was noted that this type of vote would have to occur at an annual or special Town Meeting.

Dave wondered how the Common is defined, because having talked to residents, there are different concepts of what the Common is. It will be important to clearly delineate the boundary that is being talked about. The south end of the common is clearly defined as a result of Common Road being laid out a few years ago.

Ben Bornstein was present. There was a sense of a need for a defined process for reviewing any changes to the Common including the town as not all changes and requests are equal. These may not be the same level or intensity and if there are twenty to thirty items there is going to be a lot of money spent on referendums as well as referendum fatigue. He feels producing a general protocol for items on the Common versus going to referendum would be more successful.

Lori Johnson of the Common Committee was present. The Common Committee is in favor of Maureen's request and feel the Common is special and needs protection. Voters should get a say on what happens to it. Barb Peck feels the only issue is the west end of the common because that is the only area of ambiguity.

Bill mentioned that the Selectboard and Planning Commission meetings are warned and have minutes. Residents who are concerned about these items should be looking for them on agendas. Nanette pointed out that a "change" needs to be identified. Does it include putting woodchips down? Does it include changes to the swing set or other structures currently on the Common? The Board agreed that the wording of an article will need to be vetted by the Vermont League of Cities & Towns or the Town's attorney.

Louise Jensen felt the proposal is very general and different people may interpret it differently. She stated that she cannot recall any discussion in the past year where parking was being proposed on the common. She recalls years ago people parked on the common for the Farmers' Market and it did not cause any issues. She feels the common is a place for people to gather. Parking occurs on Common Road and the town office parking lot. Before people make conclusions where we should have parking, we need to think about what that looks like. Nobody is suggesting parking should happen on the green space.

Nanette thought making Common Road one way would help with the current parking issues. Lee suggested the Board take the proposal and figure out what the correct path forward is. He suspects it is going to be more complicated than it appears, and it may take some time. Dave recommends that this item be included in future agendas to discuss the progress.

Maureen did not have a problem with waiting but was not sure what could happen during the waiting period. Nanette advised that any proposed change would still go before the Selectboard. Dave took the statements from the PC about parking as a "what if," not a project in the pipeline. The Board will report back as an agenda item no later than December 8<sup>th</sup> of whatever they have discovered from the attorney.

Melissa clarified that the PC is not proposing any parking on the Common and several years ago when the store was being put in Jeff Hutchins met with the Selectboard to discuss extending the parking on the west side of the common and paving Common Road. At that time, the Selectboard decided they did not want the road paved due to maintenance costs. The Town Common Committee and the Selectboard did allow for the parking extension by a few spaces. At that same time the Selectboard conducted a space analysis of the town office. That analysis did propose a parking lot on the location of the swing set, but that went nowhere.

### **EMPLOYEE HEALTH INSURANCE OPTIONS FOR 2023**

The 2023 rates for BCBS and MVP came out; both have increased. Although MVP's rates increased more than BCBS, the BCBS rates are still higher. The Town is currently with MVP.

Lee McClenny made a motion to continue the Town's health insurance with MVP under the same terms as the previous year, seconded by Bill Cleary. Motion passed: 3-0.

### **TOWN WIDE REAPPRAISAL**

The Town received two reappraisal proposals; however, one firm withdrew their proposal. New England Municipal Resource Center (NEMRC) submitted the other proposal. There is approximately \$117,000 in the Reappraisal Reserve Fund. The proposal is for \$102,000 and it includes the work for the next two years to update the Grand List before the reappraisal becomes effective. Nanette received an agreement from NEMRC for the reappraisal services. There are some minor pieces that Nanette and Caroline would like to negotiate with NEMRC on but the changes would not impact the cost or scheduling of the reappraisal. Dave Baczewski made a motion to accept the proposal submitted by NEMRC and authorize Nanette to negotiate some items within the agreement, seconded by Bill Cleary. Motion passed: 3-0.

### **CORRESPONDENCE**

The Conservation Commission is asking for a status of installing a kiosk at the Schultz Trail head. The Board would like this item to be included on a future agenda for discussion so interested parties can participate.

There was an email chain regarding a person without housing who has camped in their car in the library parking lot and the Common Hall. There was a resolution, and the person is no longer in Westford. There is no clear procedure when this happens. A meeting is being held on November 2 to discuss a procedure. Lee and Nanette will attend as representatives of the Town.

### **COMMUNICATION**

There was no outgoing communications.

### **REVIEW GENERAL FUND AND HIGHWAY FY'23 BUDGET STATUS REPORTS**

Greg reviewed the General Fund and Highway Budget status reports.

Ira asked if the Town had information on vehicle mileage or equipment hours. He respects John and the department but wonders if there is any equipment that is underutilized and how does that stack up against leasing or renting a particular piece. He does not have any specific examples. Bill gets where Ira is coming from, but it is difficult to tell exactly when the best time to trade in a vehicle in is.

**ACCOUNTS PAYABLE & PAYROLL WARRANTS**

The Board reviewed and signed the accounts payable and payroll warrants.

**EXECUTIVE SESSION**

Bill Cleary made a motion to find that premature general public knowledge of legal advice would clearly place the Town at a substantial disadvantage by disclosing confidential attorney-client communications and disclosing the Selectboard's strategy and position, seconded by Dave Baczewski. Motion passed: 3-0.

Bill Cleary made a motion to enter Executive Session to consider confidential attorney-client communications made for the purpose of providing professional legal services to the Selectboard and the Town, seconded by Dave Baczewski. Motion passed: 3-0. People in attendance were Lee McClenny, Bill Cleary, Dave Baczewski, and Nanette Rogers. The Board exited Executive Session at 9:46 p.m. Dave Baczewski made a motion to hire a surveyor to survey the town office and library property, and to determine if there are any right of ways on said property, seconded by Bill Cleary. Motion passed: 3-0.

**ADJOURN**

The meeting adjourned at 9:47 p.m.

Respectfully Submitted,

Lee McClenny, Chair  
Selectboard

Callie Hamdy  
Minute Clerk

**GUEST LIST**

Dave Lavallee  
Ira Allen  
Elias Rosenblatt  
Kirsten Tyler  
Colleen Ballard  
Lynn Gauthier  
Jean Ashe  
Louise Jensen  
Ben Bornstein  
Kim Guidry  
Heather Armata  
Melissa Manka  
Andy Fulton  
Caroline Brown  
Glenn Rogers  
Maureen Wilcox  
Barb Peck  
Lori Johnson  
Cheryl Swanson  
Barb Cady

**TOWN OF WESTFORD HIGHWAY DEPT.  
ROAD SCHEDULE  
October 14, 2022 – October 27, 2022**

Work to be done

- Grade roads when weather permits.
- Ditch work on the south end of Old Stage Road.
- Tree cutting on the South end of Old Stage Road.
- Service (oil and filter changes) on the remaining equipment.
- Work on the screen.
- Munson will be changing the 2 culverts on Old Stage Road.

Work completed

- Graded Plains Road, Learned Drive, South end of Woods Hollow Road, Allen Irish Road, Bill Cook Road, and spot grading on Seymour Road and Osgood Hill Road.
- Patched potholes on Pettingill Road and Maple Tree Lane.
- Service on the trucks, (oil and filter changes).
- Prepped trucks for plowing.
- Made a few repairs to the trucks (air tank, grease lines, etc.).

Approved at the 10/27/22 Selectboard Meeting.