

SELECTBOARD MEETING
January 26, 2023
Minutes

Present: Bill Cleary Nanette Rogers
 Lee McClenny Greg Barrows
 Dave Baczewski 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

Removed Annual Agreement with Chittenden County Humane Society and added interest bearing CD discussion to Treasurer's report.

PUBLIC COMMENT

There was no public comment.

MINUTES

Bill Cleary made a motion to approve the January 10, 2023 minutes as written, seconded by Dave Baczewski. Motion passed: 3-0.

Bill Cleary made a motion to approve the January 12, 2023 minutes as amended, seconded by Dave Baczewski. Motion passed: 3-0.

ROAD SCHEDULE

John Roberts, Road Foreman, was unable to attend the meeting due to the winter storm. In John's absence, Lee McClenny reviewed the January 13, 2023 through January 26, 2023 Road Schedule. Bill Cleary made a motion to approve the Road Schedule, seconded by Dave Baczewski. Motion passed: 3-0.

ANNUAL CERTIFICATE OF HIGHWAY MILEAGE

The Annual Certificate of Highway Mileage informs the State of how many miles of town roads there are. The state highway aid remitted to the Town is based on the mileage reported. Bill Cleary made a motion to approve the certificate, seconded by Dave Baczewski. Motion passed: 3-0.

REQUEST TO ALLOW PARKING ON OLD STAGE ROAD FOR TRAIL RACE IN MILTON TOWN FOREST

Catie Markesich submitted a request for parking along Old Stage Road during a trail race event in the Milton Town Forest in August. The Milton Town Forest parking lot is very limited. The race would start at 8:00 a.m. The parking on Old Stage Road would be clearly marked with traffic cones with volunteers would be present to assist with parking before the race. Race set up would begin around 6:00 a.m. if Catie receives approval from the Milton Recreation Department.

Nanette expressed concern of the condition of the banks if there is a lot of rain. The Board would like the Road Foreman to advise if he has any concerns. Bill made a motion to allow

parking on Old Stage Road for the trail race contingent on John Roberts approving it, seconded by Dave Baczewski. Motion passed: 3-0.

FY'23 HIGHWAY BUDGET STATUS REPORT

Greg Barrows, Treasurer, reviewed the FY'23 Highway Budget status report. It was noted that \$105,000 was received from FEMA for the 2019 Halloween storm event. Some line items such as building maintenance and repairs are over budget however some of the expenses will seasonalize.

ROBOTICS TEAM PRESENTATION FOR RURAL SHUTTLE BUS

The Westford School Robotics team is working on a project that would look into providing shuttle bus service to rural communities. The team members presented their innovation project, an on-demand shuttle bus for rural residents called ERBU. ERBU is an environmentally friendly bus/uber. The route will go around to houses and pick up people. The difference between this bus and a regular bus is that instead of going around a route without any passengers, the ERBU would only go out when they have a pickup request. The requests will be submitted via an app. One of the biggest ways Westford contributes to energy use is their use of cars. School buses have been regularly canceled this year due to lack of drivers and the students cannot drive. Westford also has an aging population so the project would serve many different types of uses. Buses like this currently exist in urban environments, but not in rural communities.

Lee congratulated the team on the project. It is very ambitious, but he thinks this would work more in the future and is a service much needed. They've done a great job of imagining how the service would be provided in a town like Westford. The team had also talked to individuals that had implemented similar projects in Windsor, VT which is only slightly bigger than Westford in population.

Seth Jensen stated that the concept of microtransit is something that a lot of people in Vermont are looking to make work. He thought the students were perceptive to the challenges. Seth pointed out that the big barrier is that most public transportation depends on a driver with a CDL or a volunteer with their own vehicle and microtransit needs something in between. Dave thinks it's a service people need and encouraged the students to keep researching and reaching towards their project goals.

TRESPASSING FROM TOWN TRAIL CONCERN

The Selectboard was contacted by a landowner regarding trespassing from a town trail onto their property after a recent storm. A bridge on Schultz Trail was washed downstream onto private property and by evidence of several footprints, some people had tried to retrieve the bridge.

Lee and Nanette attended a recent Conservation Commission meeting to discuss the concern. The Conservation Commission advised that a couple of people had tried to get the bridge but were unsuccessful. The bridge is still sitting on the landowner's property. Lee advised that the Commission did not consult the landowners prior to accessing the property; the landowners were upset by this. The Conservation Commission members apologized profusely for the oversight.

Noting that the bridge has been a point of contention, Lee asked the Andersons how they would like to proceed. The bridge belongs to the Town therefore the Town would like to

retrieve it. Jim Anderson stated that the bridge should never have been placed there due to the area being a Class 2 wetland. The Andersons prefer that the bridge not be reinstalled. Jim offered to help remove the bridge from his property.

Bill and Dave support the bridge being relocated to town property. Bill added that he would like to retire the entire subject regarding the trail, so the Board does not have to have continual discussions about it. He feels that removal of the bridge will help mitigate some of the Andersons' concerns. He also feels that the Town does not need to promote the use of that section of the trail but is still in favor of installing the kiosk to inform users trail etiquette.

The Board discussed having a single contact on the Conservation Commission for the Andersons to correspond with. Chris Cunningham was designated. The Andersons agreed to correspond with Chris. The Board apologized that there was a trespassing incident, Lee reiterated the Conservation Commission's apology.

DRB RESIGNATION

Dave Baczewski submitted his resignation from the Development Review Board (DRB). Bill made a motion to accept Dave's resignation from the DRB with gratitude for time served, seconded by Lee McClenny. Motion passed: 3-0.

COMMUNITY WASTEWATER PROJECT DOCUMENTS

Melissa Manka and George Lamphere were present. The Town has received several documents to help move this project forward. If the Selectboard approves the documents, it will help the Town find the answers to questions many in the community have been asking.

DEC Finding of No Significant Impact (Environmental) Impact Responsiveness Survey & DEC Finding of No Significant Impact (FONSI) & Facilities Plan Approval Letter

The Town has been waiting for these documents from the State for some time to move the project forward. Bill didn't think it was necessary for a summary discussion but feels the documents should be shared with the public. Melissa explained that the outreach committee put information including links to the documents in the newsletter and on Front Porch Forum. The documents can be found on the town, state, and project websites.

Bill asked how long it will take to receive reimbursement for expenses. Emily explained that the State is working on the reimbursement and it should go through soon. It was noted that approximately \$100,000 has been spent and will be reimbursed.

Amended Step 2 Clean Water State Revolving Fund (CWSRF) Loan Application

In 2021, the Selectboard approved the Step 2 CWSRF application for final design and permitting with the former engineer, Green Mountain Engineering, who abruptly ceased operations. An amended Step 2 application was necessary to transfer funds from the original, now defunct, engineer to Stone and Birchline for final design and permitting. The Step 2 costs were proposed to be covered by the Clean Water State Revolving Fund and State ARPA funds in their entirety so there will be no to the Town.

It was pointed out that the loan application includes funds for two bond votes. The cost for two votes is included in the event the initial vote fails or there is a petition to reconsider. It was noted that there can only be two votes within a 12-month period. George added that the Planning Commission is not assuming it will take two votes, but this is the prudent thing to do not knowing.

Before Dave approves the loan application, he would like to know how the \$205,160.98 was arrived at. He noticed that the agreement includes some lump sum payments and some not to exceed payments. Amy explained that Stone's agreement is comprised of a variety of items. Much of that is the lump sum part of the agreement. There are other portions of the agreement that may come in under budget or may not be needed at all, such as second bond vote. The Town would not be charged for that budgeted expense if a second vote does not occur.

A typo was pointed out in Birchline's agreement. Instead of consultant's duties constant duties was used. Bill asked why the services extend beyond the bond vote. It was noted that if there is a positive bond vote, there will be items such as the ordinance, establishing rates, etc. that will need to be done.

Bill asked Amy and Juli Beth if they can deliver and get the proposal to a bond vote by November as promised by the Planning Commission. Juli Beth explained that the final design is not done before a bond vote. When they have a good scope of the cost and general system, the vote can occur. The community would not be voting on a final design but would have enough information to help them decide on their vote. She feels they are in good shape for a vote in November.

Mo Reilly commented that while there has been a tremendous amount of work done by the Planning Commission, there has been no date of promise for a bond vote. November is realistic, however. Besides the current agreements being considered at this meeting, Lee wanted to know what would delay a bond vote by November. DEC reviews could create delays. Delays may also occur when contracting with subconsultants depending on their schedule. There are a lot of moving parts and organizations and agencies involved.

Barb Peck asked a question regarding the two bond votes. Does this mean that if the first vote fails this eliminates the requirement to petition for a second vote? It was explained that the funds have been included in the event they are necessary. There is no way to predict if two votes will be needed and what that may look like. The budgeting for the two bond votes is an insurance policy. The voters will still have the right to submit a petition regardless if the initial vote is approved or defeated.

Nanette stated that Andy Fulton, Wendy and John Doan, Martha Heath, Maura O'Brien, Heather Armata and Eric Ford submitted their support for approving the documents and moving forward. Amy added that with the ARPA money there is a strict deadline, and this project is on the list and a priority because of such. The state ARPA grant agreement is forthcoming.

Lee McClenny made a motion to approve the amended Step 2 Clean Water State Revolving Fund loan application not to exceed the amount of \$205,160.98 as presented, contingent upon Clean Water State Revolving Fund subsidies, State ARPA Grant funds, and/or other grant funds covering the cost of Step 2 Expenses, seconded by Dave Baczewski. Motion passed: 3-0.

Stone Environmental Engineering Service Agreement

Dave Baczewski made a motion to approve the Step 2 Stone Environmental Engineering Service Agreement as presented, seconded by Bill Cleary. Motion passed: 3-0.

Birchline Planning Consulting Proposal

Dave Baczewski made a motion to approve the Birchline Planning Agreement for professional services as presented not to exceed \$49,500, seconded by Bill Cleary. Motion passed: 3-0.

DISCUSS JOINING THE CHITTENDEN COUNTY COMMUNICATIONS UNION DISTRICT

Nanette explained that as previously discussed, the Chittenden County Communications Union District (CCCUD) was formed after several towns voted to create the District. Jericho has joined as a member. Westford has been discussing joining a CUD. The sooner a decision is made, the better, especially if the Town votes to join the CCCUD as it is in the beginning of organizing. Joining a CUD is the best and only plausible way that Westford will see progress to expand broadband access to underserved areas. There is no cost to the Town. Lee asked if there are other towns in Chittenden County that have a similar broadband issue as Westford, so we are not competing with the bigger towns and cities for help?

Barb Peck explained that providers write in their contract that there is always 2-3% of individuals in a town that they don't have to cover. She does not know if it's written into the district's roster or if it's a decision made by the state and the service provider.

Seth Jensen pointed out that with a different district there will be communities that are more rural than Westford such as Franklin and Lamoille County. He thinks this is a case when working within Chittenden County might be better because Westford is different than much of the county. He does not know if Westford be on the top of the priority list in a district that has other very rural communities, but in Chittenden we are unique.

Bill is ready to approve joining the CUD but questioned who would be the delegate. The CCCUD meets two times a month right now but that may change after they have finished organizing and adopting processes, governing documents, etc. Nanette is willing to serve on the Board until an individual with more knowledge comes forward. Dave suggested making this a stipend position much like the Planning Commission, especially since the Town is looking to attract somebody with Broadband knowledge.

Bill Cleary made a motion to join the Chittenden County Communications Union District and appoint Nanette as a temporary delegate to the Board, seconded by Dave Baczewski. Motion passed: 3-0.

Bill made a motion to advertise the CCCID delegate position and offer a \$400 a year stipend, seconded by Dave Baczewski. Motion passed: 3-0.

ANNUAL TOWN MEETING WARNING

Effective Sunday January 15th, the changes made to the election laws due to COVID expired. However, the legislature recently passed H.42 to extend the provisions for meetings in 2023 and 2024; the Governor signed the bill yesterday. The Board has the option of holding a traditional town meeting where the meeting is held Monday night and voting to take place the following day. Or does the Board want to take advantage of any of the provisions in H.42 such as voting all questions by Australian ballot and holding the required public hearing virtually. The Board can also decide if it wants to mail ballots to all active, registered voters.

Lee thinks the COVID protocol process has worked well and feels voter participation has been stronger than when there was an in-person town meeting. On that basis he personally supports using the H.42 provisions.

Barb Peck was present and agreed there has been more participation. She thinks they ought to take advantage for the extra incentives for people to vote. Bill explained to Barb that the Board has another decision to make and that is whether to include return postage if ballots are mailed to all active voters. Barb thinks that is fair. It was noted that the mailing of ballots to all active registered voters was not budgeted so it would be an extra expense. Seth Jensen agreed with everything Barb said. Bill was not in favor of including the return postage on the envelopes. Dave was in favor of voting all questions by Australian ballot with no in-person meeting and including return postage.

Bill made a motion to hold an all Australian Ballot town meeting with no in-person meeting, hold the required public hearing March 2, 2023, and present a proposed budget amount of \$2,158,830 to be voted on by the voters, and to mail ballots to all active registered voters with return postage, seconded by Dave Baczewski. Motion passed: 3-0.

CORRESPONDENCE

The Board received an email from Barb Peck that was also sent to the Westford Common Hall and others regarding wastewater.

Ben Bornstein provided the Selectboard with an update on the State taking over dispatching services.

Peggy and Dale Rodgers submitted written support of the wastewater project.

Martha Heath asked how the Town had achieved a \$7,000 reduction in the budget in donations. Lee advised that the Board reduced the amount to the Historical Society, Brick Meeting House Society, and Westford Common Hall because those organizations applied for and will receive ARPA funds. The goal being to move them toward financial independence.

COMMUNICATION

Nanette will let residents know about town meeting and advertise for the CCCUD delegate position.

FY'23 GENERAL FUND STATUS REPORT

Greg Barrows, Treasurer, reviewed the FY'23 General Fund status report.

INTEREST BEARING CD

Greg and Nanette met with a representative from Edward Jones to discuss CDs. Edward Jones reviewed the Town's draft Investment Policy and is not able to invest funds for the Town unless the Collateralization and Safekeeping and Custody sections are removed from the policy. Vicky Ross was consulted and feels that these sections were included in the original template due to the variety of investment options listed. However, the Town is limiting the options to U.S. Treasuries, Certificates of Deposit, and Money Market accounts. The Board decided to remove the sections and resubmit to Edward Jones for their review. The Board would like to move forward sooner as opposed to later to start earning money on the Town's money.

The Board asked Greg to check with Community Bank to see if there are accounts with better interest rates than the current account.

ACCOUNTS PAYABLE AND PAYROLL WARRANTS.

Greg Barrows, Treasurer, reviewed the accounts payable and payroll warrant. The Board members signed the warrants.

ADJOURN

The meeting adjourned at 9:02 p.m.

Respectfully Submitted,

Lee McClenny, Chair
Selectboard

Callie Hamdy
Minute Clerk

GUEST LIST

Catie Markesich
Barb Peck
George Lamphere
Heather Armata
Juli Beth Hinds
Mo Reilly
Ben Bornstein
Eric Ford
Gordon Gebauer
Dave Lavallee
Maureen Wilcox
Kati and Jim Anderson
Joel Fay
Louise Jensen
Beth Lane
Seth Jensen
Pat Haller
Melissa Manka
Chuck & Erin Medick
Amy Macrellis
Mark Letorney
Craig Helfrich
Nancy Patch
Maura O'Brien
Peter Lazorchak
Martha Heath
Emily Hackett
Lori Johnson
John & Wendy Doane
Andy Fulton
Chris Cunningham

**TOWN OF WESTFORD HIGHWAY DEPT.
ROAD SCHEDULE
Jan. 13, 2022 – Jan. 26, 2022**

Work to be done

- Plow, sand, and salt when needed.
- Truck maintenance.
- Remodeling work in the break room.

Work completed

- Plowed, sanded, and salted.
- Maintenance on the trucks. (grease, tighten chains)

Approved at the 1/24/23 Selectboard Meeting.