



Bill thought in theory the questions were easy to answer, but an actual number is harder to determine. We could reserve enough capacity for everybody in the service area because in a doomsday scenario that would be needed. Even if everybody in the service area connects there is plenty of capacity. It is recommended for the Board to look at the ordinance every year, this makes it easy to reserve the needed capacity and adjust as needed each year. It is implicit in other areas of the ordinance if there is a resident with a house in the catchment area the Town is committing to providing them with wastewater capacity regardless of if they choose to sign up. What happens to people who want to increase the size of their residence or build an accessory dwelling unit? That is a further question.

John asked if there is the potential for expansion of the leach field in the future. Vicky also mentioned the reservation for municipal building growth. Seth Jensen was present. Something to keep in mind with the question of how much to reserve, reserving enough and reserving for other community needs. Community gatherings and community uses have three tiers: meeting without food, meeting with food provided off site, and preparing food on premises. There is an incremental increase that occurs based on how a building is used. The engineers are trying to build a way where existing buildings can grow into those potential uses. Bill reiterated the fact there is the ability to go back and correct/amend the ordinance. He would like to think we are going to get everything right, but we are not going to be perfect on every single item. Dave thought we should broaden the target area and future selectboards can hone down and make things more precise. Lee McClenny made a motion to accept the proposed language in the section on page 15, seconded by Bill Cleary. Motion passed: 3-0.

**Sewer Connections, Fees, Basic Authority of the Board to establish fees.**

Properties connecting to the system at time of construction will be exempt from the capacity allocation fee and sewer connection fee. Ira Allen questioned what other cost exposure there would be for people who connected at the initial opportunity. Lee explained each user is responsible that their sewage maintenance system is operational and able to connect to the system since the municipal system only starts outside the building. Seth explained that there are several costs included in the total project cost if you connect at time of construction that users connecting later would be responsible for such as engineering for the design of connection, ANR permit, physical installation of infrastructure, allocation fee that pays the Town for holding that cost, connection fee which covers the cost of the Town inspection. etc. The goal at this time is to make all additional costs rolled into the project construction costs and bond for those that choose to connect at construction. Such promises are also part of a resolution that the Selectboard adopted two years ago. Once connected, users would be responsible for their allocated user fee. There would be no hidden costs or fees and no connection cost for sign up at construction. There would be a cost for those who join later.

Bill had a question regarding the wording in the ordinance that mentions that the Town may waive the connection fee for affordable housing projects. If Ira does not connect now, but connects at a future date, and if the apartments he owns qualify as affordable housing how would that work? Ira was not sure if he qualified for affordable housing. Seth responded that in the 18 Questions, the Planning Commission had already made comment on this. There's a broader definition in the Land Use Regulations as to what affordable housing is and it may behoove us to have the ordinance and the Land Use Regulations talk to each other. Bill feels that private interests should have that ability as well as a housing trust. Nanette asked if the affordable housing as defined in Title 29 is the same definition in our Land Use Regulations? There is that definition, but the Town includes three to four definitions that are Westford specific based on community feedback at the time of regulation development. Bill is not opposed to giving the Board the authority since it becomes a Board choice. Barb Peck

agrees with Vicky that the point of contact should be a paid staff member both as backup or an asset to the contractor and health officers. Lee would like to word it as the point person being the Town Administrator, or anybody appointed as the representative of the Town Administrator (they could delegate this to another town staff member for example). This would allow better administration and delegation of tasks. Bill Cleary made a motion to assign the Town Administrator as the person responsible, but to allow them to delegate tasks to Stone Environmental, contractors, Health Officers, etc., for yearly inspections and other tasks, seconded by Dave Baczewski. Motion passed: 3-0.

#### **Voluntary Connections and Existing Wastewater Systems.**

Regarding existing private wastewater systems, are we in favor of voluntary connection unless in the event of a designated health requirement for connection or a violation of state law? Vicky thought there may be individual situations where the State may compel residents to connect if they want a change to their system. An asterisk in this area regarding such may be needed. Other than that, Lee and Bill saw no issues with the voluntary connection policy. Lee McClenny made a motion that the Town accept the recommendations of the Planning Commission regarding section 7 paragraphs 3, 4, 5, 6, 7, and 8, seconded by Bill Baczewski. Motion passed: 3-0.

#### **Design Flow Basis and Capacity Allocation.**

Bill had no problems with this section. He asked Ira Allen, a landlord in the service area, what his opinions were on the one-to-two-bedroom unit allocations. Ira thinks it is reasonable. Gordon explained there are two issues at hand: allocation for non-residential uses and allocation for residential uses. Within that framework there are two issues: what the State uses to determine capacity and what we are proposing, lower numbers for the purposes of user fees. Lori Johnson questioned why the draft ordinance was going to charge more per bedroom than what the State recommends for community systems. Gordon explained that this would be better explained by the consultants, but the Town can determine its own charges per allocation. The language also did not include the language on multi dwelling units. The Board will contact the consultants about this section.

#### **Considering if the Town will set aside Reserve Capacity.**

First priority in allocation went to failing systems that cannot be reconstructed to meet Vermont standards. Should the Town set aside reserve capacity for these instances? Should expansion of pre-existing structures have priority?

Bill thought it would be nice to have numbers on this. We know who is potentially signing up immediately upon construction. We then need to know what the potential number of emergency situations is. How many buildings in the service area that have not shown interest in connecting at construction are in emergent need in the future? If there are houses in the connection area that are not connected at construction but may have to at a later date due to emergency services, he wants to know that amount of capacity so it can be set aside.

Vicky asked for clarification; she does not think anyone has committed to joining the system, people have merely expressed interest but can change their minds. At what point will people be asked to commit? And what might they lose if they break that commitment? Lee said logically we cannot ask people to join until we know what it is going to cost. If he were in the service area, he would be hesitant to commit fully until he knows what it is going to cost him as a taxpayer. The commitment would be after the bond vote.

recalled a Planning Commission meeting where a distinction was made regarding what affordable housing/low-income housing is and what Ira's units are from a state perspective. Bill Cleary made a motion to grant the Selectboard the authority to reduce or waive the connection fee for affordable housing upon receiving a written request, seconded by Lee McClenny. Motion passed: 3-0.

#### **Review Draft Resolution of Necessity**

JB had drafted this for the Town. Lee thinks it presumes a decision has been made and puts the cart before the horse. However, this is legally necessary to move to a bond vote. Under that circumstance Lee would feel more comfortable getting advice from the Town Attorney.

Bill asked the Planning Commission members that were present how expensive it is to have consultants in these meetings. There have been several questions in this meeting that they may have answered more quickly than going back and forth. Gordon's understanding is that they are planning to attend the next meeting and more frequently going forward.

#### **Review Work Plan/Action Items List**

Nanette had taken dates from the action items list and dates she had produced for leading up to the bond vote, meetings with Melissa, etc. and put it in a calendar format which she felt was easier to follow from a visual standpoint. The Board discussed some important dates on the calendar. Bill thought it felt less overwhelming to see the information laid out in the calendar format provided.

#### **Public Hearing Date Change**

The school was not available on the projected date of November 2<sup>nd</sup>. Lee questioned if we change the date or location or both? The school is available on November 1<sup>st</sup> and so is LCATV, they are not available on November 6<sup>th</sup>, our backup emergency date for the public hearing. Most people have said yes to this date. We had already reserved the space at the school for November 1<sup>st</sup>.

#### **Mail Ballots to All Voters? Include return postage?**

We have mailed ballots to voters in all the years Lee has been in Westford and he does not see a reason to stop now. People live busy lives and deserve to cast their vote. Bill agreed. Regarding return postage there was debate on whether to include it or not. Barb believed that the democratic process is sacred, and everybody should be allowed to vote, putting the return postage on is a minimal cost compared to the cost of the wastewater project. Bill was not in favor of return postage; he wanted voters to have skin in the game. The cost of providing return postage was estimated to be approximately \$1,000. Dave was in favor of return postage. Lee thinks wastewater has been a controversial issue and we need as many people to vote as possible. Lee McClenny made a motion to instruct the Town Clerk to mail ballots to all active registered voters for the bond issue, seconded by Bill Cleary. Motion passed: 3-0. Lee McClenny made a motion to instruct the Town Clerk to include return postage with those ballots, seconded by Dave Baczewski. Motion passed: 2-1.

#### **Does Selectboard Want to Set Up Meetings with the Red Brick Meeting House and the Westford Common Hall to Discuss User Fees?**

Lee wanted to hear from the institutions if they would want to have a decrease in fees, both arguments for and against. Andy Fulton from the Westford Common Hall (WCH) was present and agreed that they would want to meet. Lee asked Nanette to schedule those discussions for the August 24 Selectboard Meeting. It is Gordon's understanding that the Planning Commission will be speaking with the consultants on August 21<sup>st</sup> going over the numbers and

on August 24<sup>th</sup> the consultants will be talking with the Selectboard about those numbers. Bill is going to give the Red Brick Meeting House (RBMH) and WCH information regarding his thoughts on the situation. Last budget season when they were talking about how the awarding of ARPA funds and the reduction of town funds to those entities was about getting the entities to be more self-sustaining. Barb Peck was present. She agreed with Bill. She does not think these are civic buildings, they are private non-profits. She thinks the ARPA gift was substantial. She likes the idea of pro-rating their fees and getting them self-sufficient because they are private. Dave agreed with Bill, it does not mean they do not support those entities. He asked if this was an ordinance issue or an annual budget issue. We do not have an ordinance to pay for electricity and oil, but we do give the entities money in our budget. Vicky thinks the ordinance may need to set the rate, how the entities choose to pay for it they can do it a million different ways.

#### **DISCUSS INCREASING NUMBER OF SELECTBOARD MEMBERS TO FIVE**

The Board discussed increasing the number of Selectboard members from three to five. This would allow more time for members to work outside of the meetings on Selectboard items. Because of Open Meeting Law this is not currently possible with only three members, since two or more represent a quorum. Changing from three to five Selectboard members does not require a charter change, only a ballot vote. Bill says we put it on the November ballot, those additional members, if approved by the voters, could run for election during Town Meeting. Nanette was not certain we could put it on the November ballot because it was a public question vote and would have to be done in person. We could vote on the floor during Town Meeting with the election of the new officers happening in April during the school vote. The Town Clerk will research further. Barb was in favor of increasing the Board as were many members of the public in the meeting. Concerns were expressed over getting enough people to run for that initial increase to five people.

#### **KICKBACK BREWERY FIRST CLASS LIQUOR & OUTSIDE CONSUMPTION LICENSES**

Bill Cleary made a motion to approve the First-Class Liquor and Outside Consumption licenses for Kickback Brewery, seconded by Lee McClenny. Motion passed: 3-0.

#### **TOWN ADMINISTRATOR RESIGNATION**

Nanette Rogers, Town Administrator, submitted a letter of resignation. She is available to remain on staff on a limited basis from September 18<sup>th</sup> until the end of October. The Board needed to approve a draft advertisement for Nanette's replacement. Bill asked that residents to be patient with the transition. The Board discussed the salary range for the position. Seth noted that three towns nearby are advertising for Town Administrator positions and have struggled to fill those positions, even since before their flooding issues. Johnson is advertising around six figures for their position. Lee argued to go forward with the advertisement and say salary range from %65,000 and up depending on skills and experience. It will be posted as soon as possible. Nanette will post in Seven Days, but Vicky had suggested editing the job description to give it more life and excitement.

#### **LIBRARY TRUSTEE APPOINTMENT**

The Library Trustees have recommended Mary Ann Bassford and Becky Roy for the vacancies on the Board. Bill made a motion to appoint Mary Ann and Becky as recommended, seconded by Dave Baczewski. Motion passed: 3-0.

#### **CORRESPONDENCE**

Lori Johnson had sent in wastewater information; the Board had not had a chance to look at it and will discuss it at a later date.

Vicky Ross provided an email and Excel chart. Bill was not prepared to make any decision regarding it this evening, nor was Lee. It is an offer from Vicky to provide professional services based on her career experience in Management Consulting related areas. This was in response to the restructuring of Town organization and worker overload. Bill asked if it was separate from her offer to help with job advertising. The assumption is that it would be a task that is part of it. Bill thought they should put out the ad the way it is if that is the case. Vicky thinks the ad is too important to go out as it is now, Lee wanted to explore this with Vicky and meet with her when she is available as soon as possible.

Ben Bornstein had sent an email about MERP. He would like the Selectboard to authorize him to fill out the application. The Board asked Ben to forward the information. He will go forward, and he has a draft for the mini grant to do funds with the ADA audit/inspection and get that moving forward so we have two of the major components of what needs to be on the MERP application.

#### **COMMUNICATION**

The job notice for the Town Administrator will be posted.

#### **FY'24 GENERAL FUND BUDGET STATUS REPORT**

Greg Barrows, Treasurer, reviewed the FY'24 General Fund Budget status report.

#### **RESERVE FUND BALANCES AND DISCRETIONARY SURPLUS FROM PRIOR FISCAL YEARS**

Greg Barrows, treasurer, reviewed the Reserve Fund balances and discretionary surplus from prior fiscal years.

#### **FY'23 AUDIT ENGAGEMENT LETTER**

Sullivan Powers provided a letter of engagement for the FY'23 audit. The Board needs to accept and sign the letter. Bill Cleary made a motion to accept the engagement letter for the FY'23 audit services, seconded by Dave Baczewski. Motion passed: 3-0.

#### **ACCOUNTS PAYABLE AND PAYROLL WARRANTS**

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

#### **EXECUTIVE SESSION**

Bill Cleary made a motion to enter Executive Session at 9:00 pm to discuss employee evaluation and to invite Town Administrator to the discussion, seconded by Lee McClenny. Motion passed: 3-0. The Board exited Executive Session at 10:15 p.m. No action taken.

#### **ADJOURN**

The meeting was adjourned at 10:15 p.m.

Respectfully Submitted,

Lee McClenny, Chair  
Selectboard

Callie Hamdy  
Minute Clerk

**GUEST LIST**

Vicky Ross  
Gordon Gebauer  
Maureen Wilcox  
Barb Peck  
Andy Fulton  
Sheila Franz  
Lori Johnson  
Kim Guidry  
Ira Allen  
Seth Jensen

**TOWN OF WESTFORD HIGHWAY DEPT.  
ROAD SCHEDULE  
July 28, 2023 – August 10, 2023**

Work to be done

- Grade roads.
- Haul in winter sand.
- Start Phelps Rd. project.

Work completed

- Hauled in winter sand.
- Patched potholes and washes on Osgood Hill Road, Old #11 Road, Lower Covey Road, and Manley Road.
- Graded Old Stage Road, the hill on Osgood Hill Road, and Brookside Road,
- Had an inspection done on the 2020 international.
- Installed a new cross culvert on Osgood Hill Road and ditched a section.
- Replaced some speed limit signs.

Approved at the 8/10/23 Selectboard Meeting.