



grant agencies were clear if we came back with Plan B that we may need to amend the grants or reapply. If we cannot meet the grant priorities we will get less, and it would also be competitive. Bill Cleary does not think the Selectboard is going to have the time to reevaluate public sentiment on the project to save any of the grants. Clayton Wilburn was present, and he opined that what Bill is suggesting would cut everybody else off that needs the assistance of a community system.

Lee asked whether, if we continued with the plan, can we use that money to plan for something other than a community-based project? At what point does our planning no longer qualify for funding? Ron explained that any of the multiple alternatives apply to that. All the current money pertains to the Community Wastewater Project, and they would have to go back to the funders with a new proposal. We would not know the exact answer until we go to the funders with a new project, and there is no guarantee.

Carol Winfield was present. She understands there is a possibility the money might be usable. Is Ron saying that there is never ever going to be any more grant money available in Vermont for Westford to build Plan B? Ron explained that Plan B, C, or D would require either a change of scope to current funders or town taxpayer money. If we only wanted a Town Office and Library solution grant money is very unlikely as the State prioritizes community systems. If you serve less people, your funding stack will change. Carol didn't think losing 25% of the \$4million would cripple the town. Lee thought that since the vote was 'No' that was the decision on the Maple Shade project as proposed. If we are going to be planning, we should be planning something that would get a positive vote from voters. What would the people of Westford support? Ron explained that the project voted on November 7, 2023, was a specific project. Ron assumed if there was any other way to make the Maple Shade property work that was still a viable project since we own the land. Dave Baczewski understands there's resistance if we scale back the Maple Shade Project, however, if we do that, we could possibly find some middle ground and a solution. What does that do to the funding stack? Any change of scope to Maple Shade would require the town to go back to the funders and explain the modification.

Amy Macrellis from Stone Environmental was present. There may be a path that preserves the idea of the project, but redesigns it, downsizes it, does something that manages to capture the housing benefit that was part of the State ARPA funding and the CRRP, Northern Borders Grant, etc. Reducing the scope has implications for the funding stack, but if we preserve the benefit, the funders will not necessarily walk away. A total redesign is outside their engineering agreement, and they would have to go back to the State. Where that starts to become a real problem is the amount of time the town must get back to the CRRP folks.

Daniel Strobridge asked what we could do and keep the money that was promised to us. He believes that if we take care of the town office, library, Westford Common Hall, and Red Brick meeting house, then anybody else must do the same thing as any new build and develop their own mound/septic system. He does not know why it expanded to a community system. Bill Hill thinks the question is do we fix the town problem or do more than that?

Tara Pereira was present. The Common Hall is not a town building, it is a private organization, so it does not come into play when talking of a "Town only" solution. The reality is that we would only be speaking regarding the Library and Town Office. Lee responded there are municipal buildings such as the Library and Town Office, Civic Buildings such as the Historical Society, Red Brick Meeting House and Westford Common Hall, private businesses, and private residences. A long time ago they said the septic system at the town office and library was going to fail and a plan started there. Over the course of time, it became clear there was not a septic solution on the town office land so a decision was made to pursue a septic system

that would pump septic fluids to a leach field off-property and luckily the town owned such a piece of land. The next question was if we were going to trench to put in that system should we not also consider there are other entities who might also benefit from an expanded system? That is the process the Planning Commission followed. That was the system that was voted on November 7<sup>th</sup>. What people did not like is not necessarily clear to Lee. He does not know where the balancing point is. Tara asked Ron to clarify what he mentioned about how other towns where bond votes go through there is not this amount of grant funding, so voters are voting for that amount of money, but in this case, we are fully funded. The grants are an investment in the community. In this case the bond vote was voted no, which would have been the extra padding even though the rest of the funding is there. So, why would we not want to use the State ARPA funds which will go away? The vote was on a bond. Lee mentioned that this was a contentious issue. Even though the lawyer had drafted the bond language as it was, the board took a stance on the bond vote being a referendum. Lee explained that after the 'no' vote they hired Ron and asked the Planning Commission what the alternatives were.

Rebecca Davanon was present. She and her husband own a small parcel, less than an acre, on the Common. The majority of lots in Westford are far bigger and have other places they can go to on their lot to find wastewater solutions. Rebecca is in a historic part of the village and does not have that option. Her wastewater has failed, and they are currently looking at the best fix solution to see if anything is even possible. With a best fix they are stuck with being unable to put in an accessory apartment for Rebecca's aging parents and they are the only ones that can house them. They need a solution that would let them continue to live in the town they love. She appeals to the board because she and her husband ask themselves why the civic buildings and not private people? Their land cannot support a system.

Mark Letorney was present. A future failure of the Town Office and Library is not the concern. The concern is at present the Town Office and Library are out of compliance with state wastewater and potable water permitting. We also need to do something about expanding upon and improving the town office. Secondly the town plan, which was adopted by the town, has many chapters that call for the Selectboard to work on a Community Wastewater System. There is not an option as far as looking at other systems with other funding. He wanted to point out that this is what we have all agreed to, although he realizes that it may have been other Selectboard members at the time of adoption. But this is what the Selectboard is bound to. Lee asked if they are not bound to a majority voter outcome on a vote? Mark said if they are to adhere to the town plan, it is to work to develop a community system using Maple Shade Property. We own that property, it has the best soil for wastewater, and if downsized accordingly would be done at no expense to the town and provide wastewater, not only for public civic buildings, but for all those in the Common area that need it. The community needs to come together and deal with the issues we have. We just have to scale it, so it is acceptable to residents that fear uncontrolled development or excessive costs. There is a solution that is acceptable to voters and a solution at no cost to the town. Grant money is not as easy to acquire as some people think. This is a once in a lifetime windfall. We are the first rural town in VT to secure 100% funding. We are talking about permanent infrastructure. The other alternatives are not permanent, high maintenance and highly expensive. The taxpayers would be paying for that.

Lori Johnson thought the referendum was implied. She does not think 100% funding was implied. She says the O&M costs are significant. If we right-size she thinks the cost will be about the same and the O&M costs would not go down since they are down to the pump station and individual step tanks. Cutting the field down makes the costs too high for places

like the Westford Common Hall. She says the vote was 'no.' She thinks this project needs to end. Letting it go to complete design and sit on the shelf is not acceptable to her.

Pat Haller was present. He refuted the idea that we were only originally looking for a solution for the Library and Town Office. In 1992, it was specified that the reason for a community sceptic was not for the Town Office and Library, it was for the town center, and it was an infrastructure for the town center. Each one of the town plans since then have moved forward through public hearing. All of the Selectboards have ratified them. This Community system started before Maple Shade. We have a system that can handle a majority of issues within our community. The Maple Shade soil has been the only soil that could handle the community need and is the only soil that can handle the four civic buildings. We have had our engineers look at this. If we are going to have a different system other than Maple Shade, he asked: where? It does not exist. We do not have soil that can handle the four buildings without Maple Shade. We should utilize what we have. We cannot pretend there's soil at Westford Common Hall, it has been discussed.

Maureen Wilcox asked why the town is choosing to speculate on the reasons why the town voted no? To the best of her knowledge the democratic process does not allow post-election speculation to change the results of the election. Clayton Wilburn asked the board if they made a motion in the official minutes to make the November 7, 2023, vote a referendum. Has our lawyer checked that statement based on the legality of the text and the bond vote? Orah Moore explained that even though the vote result was 'no,' we still have a problem that needs a solution. She cannot quite figure out why people voted no when we have such a problem. As a town we should be solving it, not putting something to bed that needs to be solved.

Dave Baczewski thinks that, legally speaking, considering the 'no' vote a referendum on the project would probably not hold up, but being deep in Wastewater for almost 3 years, he believes that was the intent. They have advanced everything they could as a Selectboard to get this through. He voted 'yes.' He supports the project and the town plan. He would like to see a step forward. He believes there is a middle ground and that people need to give a little bit and have some compromise. He does not see anybody at the meeting providing constructive solutions to move forward. He is the most frustrated he has ever been with the town.

Mo Reilly is very concerned about how the town pays for any alternative. When the current systems fail, who ends up paying for that? She does not want the quality of our town to change. Her fear is that by letting this historic funding leave our community we will condemn it. There will not be another opportunity like this for funding again. What she would like to move forward with and be part of is finding a way to address some of the concerns. We can have those conversations without dismantling the project.

Barb Peck thought that any decision on Maple Shade driven by the fear of losing grant funding is the wrong decision. The 'no' vote won. She will respect any election. She expects this vote to be upheld by the Selectboard. Any argument for yes or no is irrelevant. Any scaled down project is denying the vote. She thinks the contracts for the project should be terminated and thinks any money should go back. She thinks continuing this will continue to divide the town.

Carol Winfield believes the Selectboard has the power to shut down the project. She does not think anything about this is easy. She points out they have been trying to request a Plan B for over two years. The engineering firms had opinions that shared systems could be set up and they were not explored. She thinks saying that there are no alternatives is wrong. Erin & Basil Panattu from the Westford Country Store & Café were present. They are neutral on the issue and would not hook up to a town system because they have their own solution. They wanted

to be left out of the argument for or against. Andre Roy echoed what Carol said. His issues lay with the O&M costs. Have there been any alternative plans looked at or submitted by the engineers? The funds are not going to be held forever. The most urgent deadline is quickly approaching.

George Lamphere struggles with people that believe the November 7<sup>th</sup> vote was a referendum and with the Selectboard's position. He comes at it differently, in that municipalities present bond votes to communities all the time. Not all those votes pass, and those projects come back to the voters in a revised form, addressing the concerns of why it did not pass. To say the November 7<sup>th</sup> vote was a referendum goes against the democracy in this state because we have examples across multiple communities, be it multiple bond votes for the same project or not. When the town voted on a bond for the Maple Shade Forest was it voted on knowing the site contained ideal soils for wastewater? And did that bond vote pass the first time the bond was presented to the voters? Dave Gauthier confirmed it had soil. He was the seller of the property. He found the soil and came to the Planning Commission with the information. George explained that we put it out to a bond vote knowing it had the soils we needed for the Community Wastewater System. That is part of the reason we purchased that property. Dave said when Mr. Jackson passed away, he and his wife thought about keeping the property and selling portions of it. They then had an engineer come in to do studies on the soils, which he already knew were good. The Planning Commission did not give out a lot of information about the septic, they were more concerned about the town forest, until they started hearing that they were buying it for the septic. He thinks there has been a lack of communication.

Sue Roediger had expected we might be moving ahead with more information about deadlines etc. She asked Ron whether the municipal ARPA money that is unused by the year 2027 can be redirected to other projects. She finds that interesting. Amy Macrellis explained that the State village wastewater ARPA grant funds have some milestones, but the key is that the money must be spent, and the project must be constructed by the end of August 2026. Those funds are for water projects in village centers. If this project went away and some other went around, we would not be able to rewrite those funds. Amy explained the milestones for an alternative project.

Pat Haller explained that the engineers have helped steer us towards what they saw as the best solution. They have also done visits to several properties and the Spiller Property has also had testing. There has been testing, just not on the residential properties. During the Maple Shade Town Forest project, for us to get the funding we got as a community, we got it from the Housing and Conservation Board. The State combines those two because they want conservation and housing linked. For us to get the grant to buy Maple Shade we had to supply an application to win that grant and when we presented that grant to the housing and conservation board, they specifically followed us out the door and thanked us for bringing such a good project forward, the project being good because it also brought housing and ability to develop. The soil is valuable, and it helped us get the grant funding necessary. We really could use it for a multitude of things. We should keep trying to find ways to use that soil.

Andrew Collier asked if there was an option for reducing the O&M, so it is not covered by the entire tax base? People also keep talking about the 1705 Project. Is the town approaching that property for purchase? It sounds like we are going in circles. Lee explained the O&M costs and notes that they had long discussions about the payment schedule and the division of fees, and they insisted that they be determined and decided and published before the vote.

Paul Birnholz blames the Planning Commission and regional planning for the entire thing. He has heard three times in a Planning Commission meeting that they perform at the direction of

the Selectboard. The Selectboard instructed them to look at alternatives, but in his opinion, they have not looked at other solutions. He thought that the survey for the latest town plan was meaningless.

Maura O'Brien thinks a lot of us are tired of naysaying and finger pointing. Working with professionals in the field the Planning Commission produced a plan to address the wastewater problem that has been identified for years in the Town Plan. That plan failed with the bond vote and there is some confusion about people considering it a referendum, but what she understands is that it was not a vote to throw out the Town Plan for a community wastewater system. If we want to vote on that, let us have a meeting and let us bring it forward. Do we want to change the plan, so it no longer says that we want a community wastewater system? After all the good work that went into this project for years it is insane to just throw it out. We still have a wastewater problem in Westford. Yes, some of this money can be used. The project that was presented was voted down, that specific project. The alternative to those projects has not been closed or voted down or approved by the board. She is heard finding the middle ground, addressing some of the concerns that take into consideration fair cost sharing. She likes the positive approach of letting us find the right size that we can all come together to support. We have zoning in place to address concerns of over development and if they need to be reviewed or revised. Let us do that so that some of those concerns about overdevelopment can be addressed. Alternative plans should keep some elements of the original plan in them; all this work has provided us with a good foundation. That particular plan was voted down, we have to uphold that, but it does not mean we cannot bring forward a new and better plan. She has faith in the Planning Commission that they can produce the right size, taking into consideration the O&M, the development concerns, fair cost sharing etc. It is her hope there is enough communication between the Planning Commission and the Selectboard so that the board can honor the good work of the Planning Commission and get behind an alternative proposal that all could support.

Rebecca Davanon felt personally that all this talk of money is crucial and important, but it does feel like people are devaluing her family and happiness for political value. There is a problem and there are going to be alternatives. She asks that any plan that comes forth does at least consider people in her family's situation at whatever cost you want because they do not have a choice. Please do not forget her voice and value even if it is not the largest.

Ron explained that option number 2 in his packet talks about the middle ground which preserves the funding while looking at the alternatives. He read out the option. Lee asked if the town would have any obligation after that? There would be none, we'd work at our own pace. Amy recommends they keep their place in line in the big picture and complete the application because if we do not the funding for any community wastewater project from a grant place would not be possible.

Ira Allen is disturbed by the concept of the direction being dictated by somebody that has money to give to us. The alternative is out of his own pocket with taxpayer money but what position are we going to be in when other people with money comes along? He thinks free money is an inaccurate term. He thinks this town has paid dealing with this project. He owns several properties in town and would consistently vote no and would rather take his chances solving his own problem.

Vicky Ross does not know the specific history of the Maple Shade town forest. The Planning Commission worked incredibly hard for decades to put forward a solution, paying consultants and experts, fielding questions, etc. She thinks everybody understood the Planning Commission and Outreach Committee had a responsibility to educate about this. The

community in the majority did not support the specifics of that plan. George is correct in that a lot of projects like this don't pass the first time around and are brought back to the voters. The critical path timeline for this project does not allow this. It is heart-wrenching to lose money, but the timeline does not allow us to look at alternatives or a second vote and keep the money. The timeline is against us, and a new proposal will take years to develop.

Amber Haller urged compromise. There's a lot of vitriol going on and none of us are like that. Compromise is needed, a little willingness to bend and say: "maybe I can think of it a different way." Maybe this project can work somehow with some sort of compromise. She does not know how but we have a lot of valuable information that can help the community.

Sherri Morse commented that Westford has been through a hard time, and she is sorry to hear the emotion and difficulty. There are a lot of good neighbors in the room. Her question is: if the Selectboard made the decision to apply for the Priority Planning List, is there any downside? No, we would just stay in the position we are now, which is on the list. We would merely be preserving our space and the funds or revision the scope of the project.

Bill motioned that we break contract with our engineering firms and if there's money in jeopardy so be it. Lee asked if we place ourselves on this list what is the advantage? The advantage is we show the funding stack people we are making progress doing the things we need to do towards a Maple Shade project which they are invested in. Not applying means we are pulling back and means they will pull back their funding because we have not made progress. Amy clarified the list is a routine thing for towns that may have a CWSRF component. It does not demonstrate progress it just means we do not lose our spot on the line. Ron explained the funding stack we have now is somewhat flexible to deal with the alternatives. The voters know we are going to look at alternatives. Bill asked how much money needs to be committed. Dave wanted a compromise and solution. He knows some people cannot picture the solution using Maple Shade, and he can. He feels like the vote was against more than using Maple Shade for septic. He sticks by the vote that the plan as presented was not voted for. He also believes an alternative should be looked at. How do we say we want to solve the wastewater problem, but we do not want to keep all the alternatives on the table? He asked Carol if she could ever see using Maple Shade as an alternative. She said potentially if it was pitched with other alternatives.

Bill thinks a town survey for a town plan should be mailed to all residents and put together by an independent firm. It would be a way for the elected officials to know what to do. Ron Rodjeski mentioned that Option 2 is for the Selectboard to take the project forward, not to have the Planning Commission involved. This would be a Selectboard mission which would not get started until the new board is in place. Bill thought the Selectboard had other things to do. Lee mentioned it is the job of the Planning Commission to pursue this. They have done fantastic work over a long period of time to make this come to a point, but when push comes to shove he feels reluctant to fund a project that failed.

George explained it is in fact not this Selectboard, but the next Selectboard, that will look at alternatives. The Planning Commission did not look at multiple alternatives because they did not have the funding to do so. The Selectboard could do this without saying that they are going to move forward and spend money on what was voted down. They just pause, go look at alternatives, commit money out of the town budget or out of ARPA funds etc. and see what it brings back. Lee asked what is different between that and not committing to the list and using the money to explore alternatives? He thinks committing to the list means we are not saying the Maple Shade project is off.

John Doane commented if we start with a plan and goals of a plan and have some sort of consensus of the foundation of the next step it will take years. It has taken ten years with focus to develop the current plan, any alternatives will take the same amount of commitment. You have to do all the research that has been done and very completely. Maybe we would lose some funding, it sounds like the process is more important to get a serious alternative. Wendy Doane mentioned we need to have all the alternatives available. That is why they want to stay with the funding. They want that as an alternative we can agree on. Wendy urged the board to keep all alternatives on the table.

Bill explained that Ron has been in close contact with our funding sources. The board asked Ron if we produce alternatives, will the funders help fund our alternatives. Ron explained there are two degrees; We have a funding stack that is committed to Maple Shade as endorsed by agencies and put forward by the town. The variation is that municipalities have the opportunity to propose a different scope of work that they may fund. The funders have to meet their specific program funding guidelines. If we move it from Maple Shade, we will add a lot of time. If we get kicked out, we have to come in with a new project and that is very competitive. Right now, we are at the top of the list. And any new project would be a community system. The fewer residents we have the less interest we will have. Kim Guidry asked if one of the priorities for the funders is for a community wastewater with additional community or are we committing to increasing the community? The application is used to get the award. Kim asked if the funding ties us to increasing residences. Ron replied no he has not heard that.

Lee personally thinks most of the \$4million is gone, he thinks the project as described is gone. If there is a smart way by starting the state down that we can preserve access to some of this money for a useful process, but he has not been able to wrap his head around where that is. Lee thought we needed to talk about how we're going to find alternatives. We would have to spend more town money, which would come from the taxpayers. Lee asked if the Planning Commission is willing to work with Ron on the project described. George said yes, but he does not believe that is what the community wants. Ron suggested it could be a subcommittee. Holly pointed out we will be moving into five members Selectboard where we may have a subcommittee both the Planning Commission and Selectboard collaborate on this so that it is a partnership and not one public party making their plan. Orah Moore wondered if the Selectboard might consider tabling this decision until the five-member board comes on. It was possible, but the funding is at risk if they do. Barb Peck thinks that all Maple Shade activity was voted down and the town needs to move on. Bill said that they are going to explore all alternatives besides Maple Shade, but it may circle back to Maple Shade as the best option in the end. Lee said it is unlikely we will get funding for that, and town money would likely have to be used. He feels planning is responsible for such projects.

Bill motioned that we allow Ron and the Planning Commission to keep the funds alive with the express purpose of pursuing alternatives to the Maple Shade Project, though that may end up being the best option in the end, and that it is a cooperative effort with communication between the Planning Commission and the Selectboard, that is how it is accomplished. Dave seconded. Motion passed 3-0.

#### **TOWN MEETING DAY 2024**

Act 1 allows the town to hold a remote meeting and do all articles via Australian ballot for 2024. There is also the Declaration of Inclusion that towns have been asked to endorse. Lee asked if there are any issues, we have that should be done in person. Dave thought we were drifting away from in person town meeting. Vicky Ross was in favor of having an in-person



meeting. Lee made a motion to hold an in-person town and zoom town meeting this year 2024. Bill seconded. Motion passed 3-0.

Lee motioned to mail ballots and return stamped envelopes to all registered voters in Westford. Bill seconded. Motion passed 3-0.

#### **TOWN AUDIT REPORT DRAFT UPDATE**

The auditors had made a few changes upon request which gave us a favorable opinion.

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

Greg Barrows, Treasurer, went over the FY'24 General Fund Budget Status Report.

The Common Committee is inquiring about taking some of the Common Committee funds and putting them into CDs in the same fashion we do the general. Selectboard members were favorable to this. Bill motioned to allow Greg and the Common Committee to put the Common's Committees funds into CDs into 1-, 2-, 3- and 4-year rotating Terms. Dave seconded. Motion passed 3-0.

There was news on the Mini Grant which Ben Bornstein went over. There was discussion on alternative energy like solar panels for municipal buildings.

#### **REVIEW AND APPROVE ACCOUNTS PAYABLE & PAYROLL WARRANTS**

Greg Barrows, Treasurer, went over the Accounts Payable & Payroll Warrants.

#### **CORRESPONDENCE**

Declaration of Inclusion. Holly suggested the board look at this when they have time. A group has been working with Municipalities to pass or have the Selectboards adopt a declaration of inclusion that states a municipality is welcoming to people of all demographics. They have gotten a little over 300 towns in Vermont to adopt such. Some towns have put these on town meeting day warrants, so it is not just a Selectboard initiative.

#### **COMMUNICATION**

Update on UI Research. Holly had checked on what we have paid in the past as far back as 2013. Becoming a part of VLCT's unemployment trust would cost more than what our premium would cost, in a tight budget year it might be prudent to put off discussion of joining such.

#### **ROAD SCHEDULE**

Sean Cushing, Road Foreman, went over the Road Schedule from December 29, 2023, to January 11, 2024. Bill motioned to approve the Road Schedule as presented. Dave seconded. Motion passed 3-0.

#### **FY'24 HIGHWAY BUDGET STATUS REPORT**

Greg Barrows, Treasurer, went over the FY'24 Budget Status Report.

#### **EXECUTIVE SESSION**

Dave motioned to go into executive session at 9:36 p.m. for personnel, Bill seconded. Motion passed 3-0.

No action taken.

#### **ADJOURN**

The meeting adjourned at 10:15 p.m.

Respectfully Submitted,

Lee McClenny, Chair  
Selectboard

Callie Hamdy  
Minute Clerk

### GUEST LIST

Dave Gauthier  
Kim Guidry  
Ira Allen  
Francois Ross  
Vicky Ross  
Lori Johnson  
Carol Winfield  
Barb Peck  
Paul Birnholz  
Laurie Wlicox  
Sharol Swanson  
Carl Cady  
Clayton Wilburn  
Rebecca Davanon  
Joe  
Tara Pereira  
Ron Rojenski  
George Lamphere  
Mark Letorney  
Becky Roy  
Pat Hechmer  
Bob Bancroft  
Celeste Gaspari  
Dave Lavallee  
Dick Lavallee  
Tess Lavallee  
Harmony Cism  
Joan Farmer  
Maria Barden  
Nanette Rogers  
Marty Scanlon

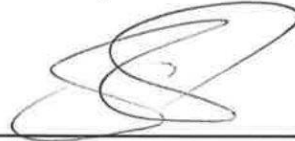
Ross Hughes  
Andrew Delisle  
Steve Crosby  
Sheila Franz  
Joe Franz  
Mo Reilly  
Sue Roediger  
Tom Lafeo?  
Pat Haller  
Amber Haller  
Joel Fay  
Bill Hill  
Sherri Morse  
Chad  
Andrew Collier  
Ben Bornstein  
Dean  
Laurie Herr  
Beth Albarelli Lane  
Cat Morgan  
Bree Drapa  
Mel Allen  
Glenn Rogers  
India Tresselt  
Basil Panattu  
Erin Panattu  
Rodgers  
Andre Roy  
Greg Baker  
Francis Kazak  
Meredith

ADOPTED THIS 25 TH DAY OF JANUARY 2024.

**WESTFORD SELECTBOARD**

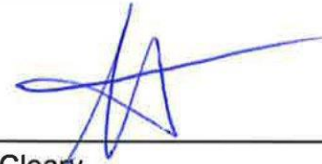
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Lee McClenny, Chair

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke at the end.

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David Baczewski

A handwritten signature in blue ink, featuring a large, stylized 'D' and 'B' with a long horizontal stroke extending to the right.

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William Cleary