

see if they could get a quorum of the votes. Holly asked if this means the WAC should not keep that alternative as a priority? Members of the board wanted to hear the WAC update before proceeding.

Concerns have been expressed by multiple residents about Front Porch Forum post from members on the WAC and the Selectboard. One thing to keep in mind going forward is that if one person is speaking and not disclaiming it as their own personal opinion it is easy for others to think they are speaking for the entire group. WAC had been spoken to at a previous meeting about this. The Selectboard rules of procedure are clear that one single person cannot act as a representative of the board without a majority vote from the board.

Mo Reilly was present. She asked if this is a directive from the Selectboard to all other boards in town that if they are going to share an opinion, they should state that? Yes, that was preferable. George Lamphere was not clear about who this applies to. Bill stated that it applies to the Selectboard, Planning Commission, WAC, Conservation Commission, Common Committee, and any other board or commission appointed by the Selectboard. Pat made a motion that all Selectboard members and all appointed committees, commission, and boards must preface that they are only representing their own opinion unless they have permission from a majority of the board, committee, or commission they represent. Joan Farmer asked if it was ethical for a board member to comment publicly from personal opinion on something they're involved with. She thinks it adds confusion. Bill thinks this is a good starting place to quell concerns. Seth thinks this is a good policy. The other elected officials should follow it, but when the Selectboard discussed the Town Charter a few years ago it was decided that the Town Clerk was independent of the Selectboard and is not in the Selectboard's jurisdiction to control. As a voter, he would hold an elected official accountable at the polls. The same is true of the Library Trustees. Bill made a motion for the selectboard and all people that the selectboard appoints to preface their public comment as their own opinion with a suggestion to all elected officials to do the same. Pat seconded. Motion passed 5-0.

WASTEWATER UPDATE

This past week WAC sent out a scope of work to David Tudhope to do engineering work on the Pigeon Property. After it was sent, George Pigeon notified the Town that he has a buyer for the property, and he requested WAC pause all work for the foreseeable future. WAC has pivoted to exploring potential capacity at the Westford Common Hall (WCH), but no big steps have been taken. They would like to know if the Selectboard would approve funds to do work at the WCH if they get WCH's signed permission of access form. They do not know the specific cost yet. Anything \$5,000 or more requires a bid process. There have been some studies done on this property in the past. 1,200 gallons per day was given as a preliminary number, but it could change with further investigation. Bill sees a big difference between the Pigeon Property and the WCH. The Town could have purchased the Pigeon Property and done what we wanted whereas with the WCH they would be purchasing some kind of easement. He would like to see what that looks like before committing research funds. The WCH also has their own needs for wastewater. Holly imagines that if anything is found, WCH would like their needs met as part of any agreement. Pat said if there is 1,300gpd found, the WCH may say they want 1,200 and work out an agreement for 100 gallons. To come up with an agreement, the capacity would have to be known first so the WCH can decide on what ratio of capacity they're willing to give up. Bill was not comfortable making any decision before we had more information.

Carol Winfield, WAC member, thinks we need to know the WCH's capacity need. The estimate we have is from when it was a church, and the current number might be different. If the WCH is not pursuing this option for themselves, but is allowing the Town to pursue this, they would

need to fund getting somebody in to look at it. If we find the capacity of 1,300gpd but then the WCH decides they need that full capacity then we're out of luck. Greg commented that because this is on land that is not town owned his opinion as the treasurer is that the WCH needs to have some skin in the game, it cannot be all on the Town.

Seth Jensen was present. When the Town was considering this option more than ten years ago this issue came up. We do not have assurance that a private landowner will not want to use the capacity found for themselves. We are using taxpayer money to do this. As a taxpayer it feels like we're paying for work that's already been done. Stone Environmental had met with WCH as part of the Maple Shade project to determine capacity needs. We need to figure out a town policy when doing testing on private property. Stone had done capacity determinations in collaboration with the WCH. The work done was with hand augers that develop soil logs, and those logs are available. There is a way to get this started without spending a lot of money. Martha explained that the Stone Environmental report said there were a few more things they could look at. One was the well shield for the adjacent property. One was an excavator coming in, and something about bedrock. Secondly, in 2014 it was a church, so the use has changed. WAC decided that at this point they only want to know soil capacity.

Mo Reilly, Planning Commission member, wondered if there is a level of complexity we need to consider? There's the soil capacity question and the question of the distance from the WCH to the Town Office, crossing the road etc. It seems like a far distance for effluent to travel. Bill thinks this would be for the WAC to work on. Next meeting Bill would like a recommendation from WAC on how to proceed. Martha explained that some members of WAC are particularly interested in moving quickly, so that's why the request came to the Selectboard before they have heard back from the WCH.

Amy Macrellis from Stone Environmental was present. She offered a few things for WAC to consider: 1.) The town may already have, or Stone could provide, sample permission forms for when town funds are to be used for testing on a private property. 2.) WAC should consider if there are existing wastewater permits located north and south of the WCH. There is existing data of what the soils look like nearby and those were done with excavator test pits. Holly followed up that the permission form we already use is the one Stone has made and she and Ron amended.

Joan Farmer does not know why the Town is looking to spend money on other properties when we own a property with good soil. It does not make sense to her that we're talking about digging and excavating when we already own Maple Shade. If WAC really wanted to find a solution, they would consider the Maple Shade property. Why are we spending money we don't need to spend? She does not want her taxes to go up from spending on alternatives. Wendy responded that because of the results of the November bond vote the Town is exploring other options. WAC is for getting more information. Wendy would like a downsized Maple Shade to be considered by WAC, but further information on alternatives is needed so voters can be more informed. Bill thought there were a lot of reasons. Joan wanted a specific answer, but Bill did not want to discuss it.

George Lamphere was present. He has been trying to understand why we would not approve town money to investigate WCH when we did that exact thing on looking at the soils for the Pigeon Property. Bill thinks the simple answer is because we were thinking about buying the Pigeon Property. Orah Moore asked if there were presentations of a smaller approach to the Maple Shade project? There had not been. Bill feels robust discussion on a right sized version of Maple Shade could take 4-5 meetings. Paul Birnholz was present. WAC is working on getting answers to these questions, but it is going to take time. Pat mentioned that at the last

meeting Emily Hackett explained that we could move forward on the Maple Shade engineering design and later decided to have a scaled down project that helps existing buildings in the common area. That is an idea he would feel comfortable with. Currently WAC is discussing several options and currently all engineering on Maple Shade was paused at 30%. Now there are only ideas for alternatives, none have been vetted and no design work has been done for any of those alternatives. In WAC's defense they have only been working on things for a couple of months.

Barb Peck asked Emily Hackett to clarify her statement at the previous meeting that the Pigeon Property was not permit-able for wastewater. Emily explained it is not permit-able for many reasons, there is a spring there meaning the well shield is larger, river corridor, flood plain, and brownfields. The State had already met with the town and discussed this. The private property is not permit-able for a wastewater system, and it is not eligible for ARPA.

Lori stated her opinion that most of the people living in the Common area do not want a community system. Rebecca Davanon, who lives on the Common, said that she would connect to a system since the best-fix solution for her failed system would only allow her family to flush their toilets, not serve them with what they need. When Pat was on the Wastewater Outreach Committee they did a survey of all potential users. Approximately 70% of the responders said they may or would connect. 30% said no. There were 35 properties that got the survey.

Mo Reilly appreciates the way the board has been running the meetings. She's been shocked by the discourse and there has been so much information and misinformation. She knows there is a lot of passion and people are entrenched in two different directions. The town has this amazing resource at Maple Shade that has a lot of capacity. She thinks the capacity is what is scary to some people. There is also the Selectboard and other boards and committees, functions, and laws that can protect the town regardless of the capacity of those soils. WAC was formed in the spirit of looking at Maple Shade and looking at other options against Maple Shade. In her opinion that has not been happening. She implored the Selectboard to make a motion to move forward with the design of Maple Shade and to have some real conversations that will be very difficult about how to make that system work, how to address those concerns, and to try moving past this entrenched misinformation and discourse. She feels optimistic and feels there is a path forward.

Maura O'Brien has been at, or viewed, the recordings of the WAC and she is optimistic, especially given what Ron said at the April 2nd meeting about what could happen in terms of moving forward. What she takes is that we are all responsible for and benefit from the green space and municipal buildings. The town bears a responsibility to provide a proper wastewater system for those buildings as well as homes in the common area. She hopes there will be a motion that we move forward with continuation of the design portion because what she understands is that if we get a proposal to move forward that will preserve funding and we won't be walking away from the money we have. Michael Kirick mentioned that if we abandon the Maple Shade project, we will still have problems with the buildings in town and there will still be maintenance and costs associated with any solution. Orah was encouraged that one of the viable options would be to scale down Maple Shade and come up with real numbers. She thinks the scaled down system must be one of the alternatives. Seth mentioned that the Maple Shade project was designed with two parts. The collection system is what will be changed by downsizing. Downsizing is work that can and should go forward. We can have public discussion on what the treatment system looks like while that discussion goes forward and while WAC does their work. If WAC goes forward with their alternative, we can look at that, but

if we do not continue with Maple Shade right now, we are throwing away our only actionable option.

Wendy motioned to:

- 1) Allow the Wastewater Alternatives Committee to continue to evaluate alternatives for the wastewater treatment of the town office, library, and possibly nearby civic and private properties near the Town Common.
- 2) To hold a new vote no later than Tuesday August 13 to either pursue one or more alternatives presented by the Wastewater Alternative Committee or pursue an amended scale of Maple Shade specifically to address the public concerns of over development within the proposed service area and addressing the public concerns of user fees, specifically to encumber connected users to be financially responsible for pumping out of the septage from their own site located tanks.
- 3) In response to the March 19, 2024, DEC rescission of funds letter; to retain availability of full funding re-authorize Stone Environmental to complete the 100% design and provide:
 - a) A detailed schedule that demonstrates that Westford can provide the deliverables for design and permitting.
 - b) Requirements before September 30, 2024. Please submit this schedule to DEC by April 19, 2024.
 - c) A stated commitment to achieve all other required deliverables outlined in your grant award by June 1, 2024.

Carol Winfield asked if they were to vote for 100% design would that preserve the entire \$2.37 million and other funding? Or would it only include money for a design if they talk about a scaled down version? Emily Hackett answered that if the town proceeds to go to design without construction dates, this will preserve the design funding and the construction funding will be moved to another community that can use it. She can only speak about the funding in her program. She explained that the funding only applies to the Maple Shade property. The town can do a full design on the Maple Shade property and scale back the construction, or it can preserve funds just for a design to save for the future. Ron Rodjenski explained when we met with the funding stack partners, which was presented, and accepted by the Selectboard was based on a consistent theme of purpose. If we were to make any changes to the original scope, the funding sources will have to look at those before they know how much they can still provide us. Mo stated that the grants are funding the potential for housing, potential for employment. It's not that we must build something, it's that the state recognizes the value of infrastructure and economics in a small community like Westford.

Wendy read the motion again. Pat seconded. Motion failed 2-3.

Bill thought an August 13th deadline for a new vote is an unreasonable timeframe to get to the voters. Casey thought there was a lot of push back on both sides, but understands we have a lot of funding on the line. Wendy mentioned if we proceed with design and construction nothing would go forward until the voters agree to it. Wendy's understanding is that we can retain the \$4 million and can save the taxpayers money if we go to 100% design, but it would be contingent on the voters. She is willing to work to make a vote happen because there is \$4 million dollars on the line, and it is a solution to the problem we have. Let the voters decide in August. By then the WAC will have had more time to do research and we can compare.

Holly asked the board members and particularly Bill, Deb and Casey, if there was any configuration of Wendy's motion that would get their support? Is there anything the other three would support at all or do they not support moving forward in any configuration? Bill doesn't like being pressured, there may be a version he is willing to work for, but he does not want

timelines pushed on him. Bill wanted to let the \$4 million go away and we can start from scratch. Deb felt Wendy's motion was too large and cumbersome to say yes to. Pat asked if Deb had other ideas that might make a motion be able to pass? Deb thinks that she'd like to see WAC continue their work and what they can come up with. She has not been able to wrap her head around one project. Pat does not think we're going to be able to get a majority to move on with the design and permitting, however Emily Hackett offered we could do the design only. That would give us more time to know what the construction cost would be. Going through design is not a commitment to construction or to having a new vote. Deb felt conflicted.

Joan Farmer thought that to heal, the voters should have another shot with two options. We have no idea what the WAC option is going to cost or the O&M for that option, so we are working from no knowledge and saying no to something that we are getting money for. Let WAC continue their work and come up with an option and then put it to a vote.

Pat motioned that the WAC consider a scaled down version of Maple Shade. Wendy seconded. Motion failed 2-3. It's hard for Wendy to understand that we are limiting where the WAC can look if we do not allow exploration into Maple Shade. She is very concerned there are no alternatives nearby and it is going to be hard to find something. She feels that Maple Shade still needs to be an option. Pat asked why Maple Shade is so wrong to even continue as an alternative, because we may have to turn back to Maple Shade. So why are we not allowing that to be considered? Bill thought that we should only move forward on Maple Shade once the WAC alternatives have been equally explored to 30% design.

WASTEWATER CORRESPONDENCE

Many wastewater correspondences had been received both for and against keeping the State ARPA funding. Holly asked for a motion to let the State know the board's decision. Bill motioned to let Holly communicate with the state grantors that we have decided to not move forward on the funding and allow the rescission to take place. Casey seconded. 3-2.

REVIEW DRAFT RFP FOR SOLID WASTE CONTRACT EXPIRING IN JUNE

The board reviewed the draft RFP for Solid Waste Contract. Casey moved to approve the outlined RFP with a cap of 5-yard dumpsters for the businesses listed in the RFP. Deb second. Motion passed 5-0.

RECREATION COMMITTEE REQUEST TO REMOVE INACTIVE COMMITTEE MEMBER

Elizabeth Ploof resigned. Bill motioned to accept Elizabeth's resignation. Pat seconded. Motion passed 5-0.

LOCAL EMERGENCY MANAGEMENT PLAN ANNUAL REVIEW & APPROVAL

Casey asked if the town office was qualified for a generator. It was not set up for that currently, though there is a grant opportunity for one, Holly shared. Casey made a motion to approve the Local Emergency Management Plan. Pat seconded. Motion passed 5-0.

LOAN BIDS FOR NEW HIGHWAY TRUCK

We initially sent RFPs to five banking institutions. Typically, we pay annually. Casey made a motion to finance the new dump truck through Community Bank, Pat seconded. Motion passed 5-0.

FY'24 GENERAL FUND BUDGET STATUS REPORT

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

REVIEW AND APPROVE ACCOUNTS PAYABLE & PAYROLL WARRANTS

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

CORRESPONDENCE

State of Vermont DEC Notice re: Revision to Aboveground Storage Tank Rules

Holly had received this, but there is a public hearing about this April 16th, 2024, at 6pm.

Essex Rescue Draft Budget

This had been a matter of contention in previous years since the budget had increased due to staffing for an additional ambulance. Since Lee had left, Holly would like another Selectboard member to go with her to the meetings. Deb volunteered. Pat asked if the per capita number was per Westford resident, or just per the residents served by Essex Rescue. Holly did not have an answer on that yet.

COMMUNICATION

Seth thought the town was owed communication about the board's decision to let the funding stack for Wastewater go. Bill was neither for nor against communication. Holly volunteered.

ADJOURN

The meeting adjourned at 9:24 p.m.

Respectfully Submitted,

Bill Cleary, Chair
Selectboard

Callie Hamdy
Minute Clerk

GUEST LIST

Bill Hill	John Doane	Orah Moore	Maria Barden
Dave Gauthier	Kim Guidry	Mark Drapa	Ron Rodjenski
Paul Birnholz	Ira Allen	Barb Cady	Clayton Wilburn
Alice	Barb Peck	Peggy Rogers	Maureen Wilcox
Robert Schipper	Michael Kirick	Emily Hackett	Celeste's Gaspari
George Lamphere	Sue & Tom Thibault	John Keirnan	Sheila Franz
Joan Farmer	Maura O'Brien	Cori Hill	Vicky Ross
Dick Lavallee	Joe Franz	Mo Reilly	Harmony Cism
Tess Lavallee	Martha Heath	Sue Roediger	Amy Macrellis
Carol Winfield	Rebecca Davanon	Becky Roy	Dave Lavallee
Lori Johnson	Anna Pigeon	Basil & Erin Panattu	Seth Jensen
			Louise Jensen

ADOPTED THIS 25 TH DAY OF APRIL 2024.

WESTFORD SELECTBOARD



William Cleary, Chair




Patrick Haller



Casey Mathieu

Deb Sawyer Jorschick



Wendy Doane