

ANNUAL FINANCIAL PLAN FOR TOWN HIGHWAYS

This annual item is a financial plan that the State of Vermont requires for getting highway related grants and lets them know our financial plans. The State of Vermont provides the numbers, and we just plug in our road mileage and budget figures. It usually goes up a little every year. This affects how much we get in highway funding from the State. Pat motioned to approve the Annual Financial Plan for Town Highways as presented. Wendy seconded. Motion passed 5-0.

CERTIFY TOWN ROAD & BRIDGE STANDARDS

This is an annual item to show compliance with the road and bridge standards put out by the state. They were last updated in 2019. There have not been amendments since then. We use these standards when deciding what to do with our roads. Pat motioned to approve. Deb seconded. Motion passed 5-0.

FY'24 HIGHWAY BUDGET STATUS REPORT

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

CRRP FUNDING WITHDRAWAL UPDATE

Ron Rodjenski was present. He explained that CRRP's funding, which is part of a State ARPA program, has been pulled back from Westford. The priority for that program is to get funding into municipalities and village centers pursuing wastewater projects. CRRP had identified 11 such municipalities as candidates for funding. One of the conditions of the grant is progress. When progress towards Westford's Community Wastewater project was put on hold by the previous Selectboard last November, CRRP did not pull funding right away. Finally, CRRP called and said they cannot wait any longer because there are other projects that need the \$740,000 that was committed to Westford. They gave us as much time as they could. There is a chance that if those other projects stall, then the money could come back to Westford, but for planning purposes it is gone. Pat wondered if the new Selectboard could talk to ACCD, the Agency of Commerce and Community Development that awards these grants. Maybe they could be convinced that there's still an opportunity and need in Westford. It's a lot of money to let walk out of the door. Ron explained that a similar situation might affect the other partners in the funding stack for the Community Wastewater Project. All recent messaging from the prior Selectboard was that they were intentionally pausing progress. When that kind of message goes out the only way to reverse it is to show new progress towards a project. We do not have a project right now. The WAC is looking at several alternatives, but none are near the 30% design stage that the Maple Shade Community Wastewater Project is at. Any alternative project results in a "change of scope." Two agencies have warned us that coming back with a large change to the scope of work will put us in the back of the line. No other funders have pulled their funding yet, except CRRP. All the funding has been awarded based on Maple Shade, however. If we want to keep the funding, the community needs to be clear that we are committed to a specific project. Ron does not think a 'maybe' plan will be effective in getting funding sources on board.

Wendy wanted clarity on the motion made at the January 11th meeting to ask Ron and the Planning Commission to keep funds alive with express purpose for exploring alternatives to Maple Shade, although it may be the best option after alternatives are explored. Bill explained at that point it was their hope the funding sources would stay alive and be diverted if they found a viable alternative or if we rescoped the Maple Shade Project. He does not think the previous board believed we would keep them at 100%, it was just their hope. Pat proposed

that the town continue with making progress to 100% engineering for Maple Shade since we do not have an alternative yet, and we need to show progress to the funders. We have the funds that will allow us to do so at no cost to the town. WAC can and should continue their work and if an alternative is better, but if Maple Shade continues to be the best alternative we still have the funding. Wendy asked if it is any cost to the taxpayers to continue the engineering. Ron explained there is some cost in that the reimbursements have not come back from the state yet. Stone Environmental's contract was for 100% design and to get the project ready for bid. Right now, we have a valid, state-approved 30% design. There are two issues. One is the amount of time the State of Vermont is taking to process reimbursement. The town has provided them with plenty of information, so Ron's not sure what is holding those funds up. Until the money is reimbursed, we are losing the potential interest income. The second is the chance that the engineering work will expire if we wait too long which could also be a cost. In Ron's understanding, the state will fully fund the 100% design to sit on a shelf. Ron doesn't like to call this no cost because there are incidental costs, but if the Selectboard wants to continue to 100% design, that money is there. Pat explained it was clear that residents took issue with the 100% proposal and there were several concerns that kept coming up such as overdevelopment, user fees, users having to be responsible for their own pumping, etc. He thinks it is reasonable to ask Stone to continue, but with these items in mind. If we do not find an alternative that is affordable, Maple Shade is still the proven alternative and it would not be in our best interest to let the funds go. Bill thought that going to 100% design is going to agitate a lot of nerves in town and he does not want that. He thought we were on a good path with evaluating alternatives. Ron explained that with all the work that went into Westford and the 'No' vote on the bond, Westford is a case study amongst the 11 wastewater projects in the state. Bill thinks there will be other opportunities and he wants to move forward with the WAC. Wendy wanted to have all the alternatives left on the table. We have a problem to solve. It is going to be expensive. We have money to solve this problem right now with Maple Shade, but we also need to look at the alternatives. She would like to keep both options alive. If we allow Stone Environmental to move forward we can give a clear signal to the funders and continue our research in the alternatives. She thinks that would be the best of both worlds.

Lori Johnson was present. She felt that people were clear on how they felt on the Community Wastewater system by the bond vote outcome in November being 'No.' The Selectboard at the time had also stated they saw the vote as a referendum on the project. Lori stated that a lot of people were uncomfortable with Stone Environmental and concerned about the drip system. Wendy asked Lori to clarify which people she was referring to when she said a lot of people. Lori stated one could say the entirety of people who voted 'No' on the bond vote. She then explained her concerns, stating that it is a novel system that has never been done on the proposed scale in Vermont. She believes that they took the intermediate pump station out of the final design and that if a line fails everybody's effluent is going to be pumped downhill without a secondary collection system. She also had concerns about back pressure on the check valves. She stated she has a 20 minute recording of Ira Allen listing his personal concerns with the Community Wastewater System. Wendy mentioned that she circulated a petition about the project, and people agreed there was a wastewater problem in the village center. They also had concerns about development. She said they were also concerned there were no alternatives presented and wanted clarification on the misconception that the people using the system would not be paying their fair share. It was not a vote on Community Wastewater, it was a vote on the specific bond. Clayton Wilburn had asked if we could have our legal counsel look into whether we could continue to call the bond vote a referendum. Holly explained the wording was specific to the bond amount not the project itself. Legally it

was on the bond. Wendy had never considered a referendum because it was a bond. Bonds can be voted on over and over again. She believes it is an opinion of the previous Selectboard that it was a referendum. The article itself was specific to the funding amount. Pat explained there were two petitions that came to the Selectboard. One was in 2022 and another in 2023. The work that Pat is proposing is congruent with both petitions. Pat read both petitions' language out loud. Pat proposes continuing the work on Maple Shade in case the alternatives cannot pass muster for what the town needs. Casey thinks the biggest question is what is the cost if we continue with engineering? What is the cost to the taxpayer? At what point do town funds begin being spent on it? Pat explained if we were to spend more money today, as an example, the board would have to approve spending more money as a Selectboard. Wendy was not sure if Casey was asking about the Maple Shade or the alternatives, because even any alternative would be costly.

Rebecca Davanon was present. If the board doesn't consider the vote a referendum and takes it as it was legally written, then it is not against the will of the voters to pursue a smaller scale project. She personally did not attempt to do any sort of a revote petition after the November outcome because she respected the will of the voters when the bond was lost. In that regard it is legally the Selectboard's job to investigate a smaller scale version in addition to investigating alternatives. The Maple Shade project is still the only currently viable system on the table. Wendy is worried about the cost if we do not maintain the funding since we have no idea what the alternatives will cost.

NBRC PROGRESS REPORT

NBRC has a grant approval process that is very complex. It is a global grant about community development and to help rural communities achieve goals. They are more flexible on the time frame. Progress is part of their grant conditions, but not necessarily strictly reserved for Maple Shade. They have told us the opposite of CRRP; they see progress with the town continuing to explore alternatives. If Maple Shade is not the final project, they will still want a new scope of development for an alternative. Ron will keep the board updated if there are changes to their funding. They are requesting a progress report that was due at the end of January, a deadline that was missed. The ask for the Selectboard is to approve the progress report as written by Holly. Melissa Manka and Nanette Rogers, both former employees, had been approved to submit the progress reports. Holly suggested that the Selectboard appoint her to submit these progress reports on the Selectboard's behalf. Deb made a motion to accept the report and for Holly to be the signer of the report after Selectboard review. Casey seconded. Motion passed 5-0.

WASTEWATER ALTERNATIVES COMMITTEE (WAC) WORK UPDATE

The WAC developed a matrix of how they will stack the 13 ideas that have been submitted both by the public and by committee members. It is still a working document. One thing that keeps coming up is the 1705 property (aka the Pigeon Property). It is in a prime location for town needs. WAC got permission to speak with the owner's engineer to get information about wastewater/septic capacity. There is currently a design for 490 gallons per day. The Committee would like to ask the Selectboard to approve \$5,000 to proceed with research to discover what maximum capacity may be on that space. Part of that would be getting owner permission. While that investigation is ongoing they will review the other alternatives and give those their due diligence. The Pigeon Property is for sale, meaning it could be sold at any time. The WAC thinks there is a timeliness to this project with a clear path forward. Until the maximum capacity is known, it does not make sense for the town to consider purchasing it. If the town did purchase it, however, there were many advantages such as additional parking

ability, stormwater issue mitigation, etc. Carol Winfield of WAC mentioned that this could also preserve the River Conservancy's plan for a public trail and park to the river. Strictly from a potential wastewater site, WAC feels this is the first alternative of 13 they wanted to explore.

Rebecca Davanon has some concerns about the 1705 Property, but she thinks that WAC is correct in that we need to further investigate what is going on there. One thing she did not see mentioned is that to get the additional capacity they might have to get rid of the house and the well on the property. She worries about a loss of community if the house must be demolished. She would hate to lose the potential for housing in that area which allows residents be part of that vibrancy there. Something WAC had not mentioned is the brownfield on the property. How does that affect things? Carol said that WAC is not looking at the house at all. If the town purchased the property she would like to see the house restored. That is not to have anything to do with the septic capacity. The engineer would determine capacity if the house never existed, if it stays, or if the garage stays. An engineer will take into consideration the brownfields, the well, etc. That is why they are requesting the money. She believes the question is what do we have there and what can we do with it?

Pat thinks it is a good idea to investigate the 1705 Property, but there are potential problems. It is his opinion that the town hire an overall engineer for a higher scope of work to get the greater questions answered. The flat area from the house over to 1695 VT Route 128 is where there is soil contamination. The State recommended remediation of that to protect the environment and health, meaning several feet would have to be excavated and a cap put in place. Groundwater wells show contamination also. Pat worries that to investigate capacity without understanding the rest, would that contamination not migrate? Carol mentioned there was considerable work done already on the brownfield. Bill said that the capacity is the first step. If there's not enough capacity, we would not want to start investigating other aspects of the property. Casey thought 1705 seems like a great option. Who did the testing for the 490 gallons that is approved today? It was an engineer hired by the Pigeon Family Trust. That capacity is enough for a four-bedroom house. We do not know if it has capacity for the town office, library, and other buildings. The engineer had suggested pre-treatment and felt there would be capacity for the town buildings, but we do not have confirmation until we do full testing. If it is enough to support the town buildings we have to decide on next steps. Bill mentioned we have \$24,000 of un-allocated ARPA funds. Holly responded that money could be used for that. Pat said that considering it would serve the office we also have the office feasibility study ARPA money. We have also been putting capital funds aside for town office wastewater/expansion, although it was a while ago. Pat is not opposed to \$5,000 but he would like a scope of work and the cost prior to approval. Ron mentioned that it would need to be determined who owned the work product, the town, or the landowner? The town owns the work, but not the land. We also must get George Pigeon's authorization to get current data. Casey thinks it only makes sense to offer the Pigeon family ownership of the new information. Pat suggested that since the Pigeon family has been very generous by allowing the town to explore the property, we might ask them if there is something we could do to be helpful to the family. Carol felt that figuring out the capacity was enough. She thought the exchange of information known by both parties was sufficient.

Deb is in favor of exploring the Pigeon Property. She has a lot of experience professionally with wastewater and feels \$5,000 is a drop in the bucket for the information we would gain. She would love to see the property occupied in some manner. She's also happy that WAC has a list of many alternatives and is not looking at just a single item. Wendy thinks it is a very important piece of property both from a meaning standpoint and potential. She is very worried about the brownfields and cost of remediation and the cost of the property itself, which puts

the total cost at around \$700,000 before we even get to an engineering design. She also wanted to see a scope before approving the \$5,000. She also reiterated her support for keeping Maple Shade alive as an alternative.

Bill thought if we cap the spending at \$5,000 and the engineer gives an itemized bill of what they have done he would entertain a motion. Deb motioned to cap spending for wastewater capacity investigation on 1705 at \$5,000, to be done by the engineer David Tudhope, to get an itemized report and bill, and to use money from the town office feasibility ARPA to fund it. Casey seconded. Motion passed 5-0.

REQUEST TO DRAFT AN ANIMAL NUISANCE ORDINANCE

Holly asked the Selectboard for permission to work with the Town Attorney to draft an ordinance regarding nuisance animals. It will cost money to work with the town attorney and she wanted to run it past the Selectboard. We have approx. \$5,000 left for the fiscal year in legal and professional fees. Casey said there is nothing else coming down the pipeline, but the lawyer does review a lot of items on wastewater. Holly explained she often has more questions for the attorney due to her newness to her position. Casey made a motion, 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.

REAPPOINTMENT OF HEALTH OFFICERS

The Health Officer and Deputy Health Officer's terms were up. Tina Shoup was not interested in being reappointed due to her current non-town responsibilities. Devin Porter, our Deputy Health Officer, had stated interest in filling the Health Officer role for Tina. Deb made a motion to nominate Devin Porter as the new Health Officer. Casey Seconded. Motion passed 5-0. Bill thanked Tina for her time and service to the town and wished her the best moving forward. Casey motioned to accept Tina's resignation. Pat seconded. Motion passed 5-0.

CORRESPONDENCE

EWSD Facility Use Fees

The School District had stopped requiring fees for using their facilities during covid, but they are going to be beginning again. They do not plan to charge fees to municipalities but might charge for recreation use. Holly had included this for awareness. EWSD was looking for feedback on this.

Store Signage Request

Erin & Basil Panattu were present. They had been asked to unplug their neon signs due to them violating our zoning regulations as currently written. They would like to use them because it helps to bring in customers and bring attention to the store. Bill thinks there is something that can be done on an interim basis while the Planning Commission works on an amendment to the regulations. He wanted to show support for the store and to allow them to plug in their neon signs. Pat thinks if we are going to provide an exemption it would be precedent setting so wording this properly will be crucial. He wanted it to be clear that these two signs were only words, they do not have additional advertisements on them of different brands. The signs were "open" and "atm." Bill thinks we could limit the scope of it, but we are

just saying we are allowing an interim change until the Planning Commission can dive deeper on the subject.

Rebecca Davanon was somewhat opposed to more light pollution on the Common since she lives there. She worries about how it takes away from the rural character. Carol Winfield was present. She supports Rebecca's concerns about light pollution, but the signs are very limited in the time they are on. She supports it being careful to not set a precedent. A petition of over 100 signatures had been presented that showed support for allowing the store to have their neon signs. The store had sent a letter to the Planning Commission that states they would only be lit during open hours. Erin and Basil did not want the extra light pollution as well, but it is the only extra way they can pull people off the road. Bill asked if they would want any more signs or are they only requesting the current signage? Erin stated an A Frame sign on the Common would also be helpful and is also not allowed. Bill's questioning is because the board could limit the interim request by square footage for those that are concerned a precedence is being set. Both signs are 8"x15", a combined 1.6 square feet. Wendy believed the Planning Commission is very concerned about the impact on those living on the Common which is why it isn't currently allowed in the regulations. Casey motioned to allow under five square feet of neon sign with no flashing allowed for the interim variance. Deb seconded. Motion passed 5-0.

COMMUNICATION

We have budgeted for four road crew members for a long time but have never had a fourth at any point. We've finally gotten enough interested applicants to fill all of our roles. Our fourth road crew member will start next Tuesday.

ADJOURN

The meeting adjourned at 8:46 p.m.

Respectfully Submitted,

Bill Cleary, Chair
Selectboard

Callie Hamdy
Minute Clerk

GUEST LIST

Lori Johnson
Carol Winfield
Dave Gauthier
Ron Rodjenski
Ben Bornstein
Harmony Cism
John Doane
Vicky Ross

Maria Barden
Kim Guidry
Ira Allen
Rebecca Davanon
Lynn Gauthier
Dick and Tess Lavallee
Basil & Erin Panattu
Sue Roediger

ADOPTED THIS 28 TH DAY OF MARCH 2024.

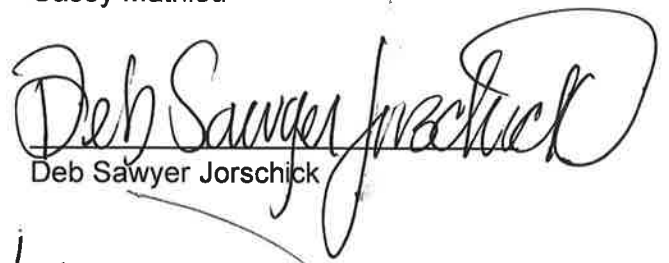
WESTFORD SELECTBOARD

William Cleary, Chair



Patrick Haller

Casey Mathieu



Deb Sawyer Jorschick



Wendy Doane