

**SELECTBOARD MEETING
March 28, 2024
Draft Minutes**

Present:	Bill Cleary	Holly Delisle
	Pat Haller	Callie Hamdy
	Deb Jorschick	Greg Barrows
	Wendy Doane	Sean Cushing
	Casey Mathieu (joined late)	

Guests: See page 8

The meeting was called to order at 6:15 p.m. The meeting was held in person and via Zoom.

CHANGES TO AGENDA

There were no changes to the agenda.

PUBLIC COMMENT

There was no public comment.

MINUTES

Pat motioned to approve the February 14, 2024 Minutes as amended. Wendy seconded. Motion passed 4-0.

ROAD SCHEDULE

Sean Cushing, Road Foreman, went over the Road Schedule from March 15, 2024 to March 28, 2024. Pat motioned to approve the Road Schedule as presented. Deb seconded. Motion passed 4-0.

MERP UPDATE

Ben Bornstein, Westford's representative to the Chittenden County Regional Planning Commission (CCRPC), was present. Money is offered under the Municipal Energy Resiliency Program (MERP) grant to improve our energy and fuel efficiency at the Town Garage. An ADA inspection was completed using funds from a mini grant. The next step is to have a Level II Energy Audit completed. Pat mentioned a program by Green Mountain Power that helps replace fossil fuel heat sources with non-fossil fuel ones. The Westford Common Hall had used this program. Pat asked who the contractor doing the audit was. Ben says that it is the NOVA Group.

FY'24 HIGHWAY BUDGET STATUS REPORT

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

WASTEWATER ALTERNATIVES COMMITTEE (WAC) WORK UPDATE

Bill Hill, WAC member, was present. He presented a PowerPoint which is also posted on the website. He thanked and welcomed the new Selectboard. The committee has been working well. They have met, aligned their mission and approach, made a matrix, conducted a survey of the town, and reviewed all existing documents for options investigated since 2008. They have 10 potential alternatives with 3 they want to focus on.

Step 1 was to find the alternatives; Step 2 was determining what information was needed for each alternative, and Step 3 was filling in the facts for each alternative. He provided a chart within the PowerPoint with the 10 ideas. The Top 3 alternatives are the 1705 Property, The Common Hall Property, and finding another private property. He talked about the core attributes for each alternative as well as considerations. Bill thought considerations can be subjective, and the core attributes stick to facts.

Wendy asked to see cost/benefit as a core fact in terms of the lifetime of the system we would be investing in and the amount we are investing in? Bill thought from a business perspective that is a great point. However, some people may see a large system as a benefit while others would see it as averse. Wendy still wanted to see how much money and how much capacity each alternative provides us as well as longevity of each alternative.

Pat asked if the WAC is looking at any of the alternatives regarding how they may or may not match the town plan. Bill said that was a consideration they could list. Pat recalled that Stone Environmental had determined that some of the sites the WAC is considering did not have good soil for wastewater. Pat wonders when they might get some experts to look at the next steps. If we are going to ask for information on another property, he would like to get a professional to look through to see if a proposed property is viable before we spend money on it. Ron Rodjenski was present. He said that the process was linear, so they will not have multiple explorations going on at once. They will explore their first choice property and go from there. Wendy wanted clarification on whether the WAC has been referring to the 2008 study. They had and that study did not include in-depth soil testing.

Joan Farmer was present. She commented that we have the Maple Shade property with capacity. To her, it is not logical to ask private landowners to use their soil. Why not use the Maple Shade property on a smaller scale? Why are we looking at property we do not own when we own property and have funding for a project on that property? Bill Cleary explained that the WAC was formed to look at alternatives to the Maple Shade Property. If the alternatives are exhausted, we may go back to Maple Shade. Bill thinks finding a right sized version of Maple Shade would take many meetings and we may lose the grant funding during that time.

WASTEWATER CORRESPONDENCE

The Selectboard received 4-5 emails of support for retaining funding for the Maple Shade Project and 1 email against it.

STATE ARPA RESCISSION LETTER

Wendy had requested the new Selectboard look at a spreadsheet of the Maple Shade funding stack. Holly shared the PowerPoint with the meeting. The chart included the \$750,000 from CRRP. State ARPA had spoken with CRRP and asked them to stay their rescission until we have reached a conclusion by the State ARPA's April 19th deadline. The CRRP funds are also tied to ARPA.

Emily Hackett and Lynnette Claudon from the State ARPA office were present. The letter was sent because they must take a hard look at their program and reallocate unused money or it gets lost entirely for the state. Their concern is that we are not on a time schedule to meet the complete permit package by the date they need it to be done. The town needs to make a decision to either continue with the project, possibly scaled back, using the Maple Shade Property, or not. They do not have time to look at alternative sites based on this ARPA funding. Bill understands the urgency since the municipal ARPA funds have a similar timeframe for allocation. Bill's concern was dredging up old issues when the bond vote was voted down in November. Bill has heard rumor that if we did a scaled back Maple Shade and we did not spend all the award we could take the leftover money and spend it on the Pigeon Property. Emily explained that is not true. Under the ARPA grant we can do a full design and permitting, but we could phase construction back to only what we need today. We cannot purchase another property with this money. The State had met with the town and with Ron, Holly, and Sites Management and 1705 is not permit-able for wastewater. There is a lot more

going on than just the brown field, such as wetland corridors and more. The State would not entertain this system using ARPA funding.

We currently have the money available to do 100% design for a Maple Shade project. Within the letter the State suggested they would work on Westford's behalf to recuperate the \$750,000 from CRRP so that we will not lose funding if we decide to move forward with the engineering design, allowing us an opportunity in the future to put forward a scaled back system. The construction funding would have to be used by September 30th 2026. We have an option to do the design and put it on the shelf, but Emily does not know how that will play out for us in terms of the funding from the other funding sources. Pat thinks that even though Bill believes these conversations will agitate some people that it is necessary. The purchase of the Jackson Property, part of which was for wastewater specifically, passed overwhelmingly. Pat read what was provided to voters for the Jackson Farm & Forest project bond vote. Pat says that it is not true to talk about the November 7th, 2024, bond vote as a referendum on the Maple Shade property being used. It was only a referendum on the \$400,000 contingency bond being asked of the voters. Wendy stated that she wants to work off facts and not assumptions. We know we have funding for Maple Shade to get the engineering done. We do not know if we can get funding for an alternative. We have a design for the Maple Shade project and know what it is going to cost. We do not have a design for any of the alternatives. We stand to lose \$4.5 million dollars if we do not continue to 100% design.

Lori wanted clarification on the ARPA grants. Her understanding is that if all we are going to do is 100% engineering and put it on the shelf, they will adjust the amount to only the engineering. Is that true? The other question is if there is a scaled down version, say half the field, 12,000 gallons per day, would the full ARPA grant still apply, or would it also be cut in half? Lynnette explained that if we go for the full design and shelve it, the State may rescind the construction dollars to use them with another town. Our current grant with NBRC is paying for the disposal field. If we did a scaled down version, the State would look at the overall funding stack, see what agreements needed to be changed and produce an overall decision. It is likely there would be some rescission, but it may or may not be with ARPA.

Seth Jensen was present. He thought we should take the bond vote in November as a referendum on the specific project with specific parameters. It was never worded to say we should prohibit use of Maple Shade in the future. In the past when we have had votes that have failed, we have looked at the questions and reasons why a 'no' outcome occurred. Seth sees three major concerns raised about the Maple Shade project: development, structure of the ordinance, and concerns about ongoing O&M costs. The Westford way forward is to address a problem we know we have, using the tools we have. Pat thinks by moving forward with 100% design we are satisfying every resident in town since we are still looking at alternatives, keeping the Maple Shade property open, and then bringing each to the voters for comparison. He thinks this is the wisest and most prudent vote the board could make. If we choose to take the only solution that is viable off the table, he feels that is irresponsible.

Barb Peck was present. She thinks we are re-debating what we did last year when we voted. She thinks a lot of people are disappointed by the 'no' vote, but she thinks the 'no' vote should stand. She thinks going back to the Maple Shade property at all is denying the election. She thinks the money should go.

Carol Winfield was present. She believes that if the town were to decide to go to 100% design only, that design work would be funded. The rest of the \$2.3 million would be reallocated. Approving only 100% design to put on a shelf would not preserve the money. Secondly, what would the State need by April 19th if a scaled down version were to be suggested? Would we

have to decide between now and then to either construct a Maple Shade project just for the Town Office and Library, the Town Office, Library and Civic Buildings, or the Town Office, Library, Civic Buildings, and some residents? How would we decide what the scaled down capacity would be? Emily responded that if we went to design only, funding would only be for design and permitting. A phased back approach is up to the Selectboard. Bill Cleary heard that if we choose to use Maple Shade for only the Town Office and Library the state would not be willing to fund that option. Emily replied that the State would have to make sure it was an authorized and eligible use of the funds. Whatever Westford proposes needs to be in line with the project we got the grant for. Lynnette commented that the easiest way to look at a scaled down project is to look at the full service area, but at current use. If there are users that want to be eliminated from the system in that area that would be considered, but to her, meeting the needs of the existing village seems small. Joan Farmer commented that whatever alternative that is found will be totally funded by the taxpayers because we don't know if any grant money exists for those projects. If we do not go with a scaled down version by April 19th we lose the money.

Lori Johnson asked if we could go forward with 100% design without knowing what it will cost to hook up? Or will it have to be repeated? Lynnette explained that if the engineering firm were to complete 100% design for the proposed service area it would be up to the town to determine who would be allowed to connect. The current proposal has the connection costs covered by the project. The user fees associated would be charged to the users later. Lynnette is not aware of any proposals to put more costs of the users especially connection costs. Maureen Wilcox asked how much the O&M costs for the scaled down project will be, who will be paying them and how will they afford it? Holly thinks that is not something the State ARPA would figure out, rather something engineering would help us with. Greg Baker was present. He asked why we as a town would pass up funding to inform future decisions? We are gaining knowledge, and we are gaining information. If we must do this by ourselves, it will impact on every taxpayer in town.

Kim Phinney was present. She asked Emily and Lynnette if Westford were to let the money go, is there a comparable fund out there that we could compete for that is the same amount we are potentially losing? Emily explained there is no comparable funding that she knows of. This is a once in a generation opportunity. It is very unlikely that the town would find anything comparable. Wendy asked if this is an unusual time for this amount of money to be available in grants? Lynnette responded that it is. The infrastructure funding currently available nationwide is unprecedented. Bill Cleary shared that he had attended a meeting and learned that we should first define our problem, then research alternatives, then implement a solution. He does not feel that we have done enough research on alternatives, and that we do not have enough time to do so without losing ARPA funding. He feels that we are being forced to come up with a hasty solution and would like to see the money go because it's eating up time and dividing people.

Wendy does not think it is prudent to let the money go. Community Wastewater has been on the Town Plan for 30 years. It is not being done in haste. Pat made a motion that we continue to pursue the engineering for 100% design as propose by the State for Maple Shade while we continue to research alternatives so that we can provide the voters of Westford information for either a scaled down version using Maple Shade or some other alternative. Wendy seconded. Motion tied 2-2. The subject will be taken up at a later meeting.

WAC had previously been directed to not explore a scaled down option using Maple Shade. Wendy and Pat would like to see all options explored. Pat made a motion to direct the WAC to

include the Maple Shade scaled down alternative on their list. Wendy seconded. Motion passed 2-1. Deb Jorschick abstained.

STATE ARPA PROGRESS REPORT APPROVAL

This gives an update with technical cost schedules and a work plan for State ARPA funds.

STATE ALTERNATIVE AUTHORIZED SIGNER DESIGNATION

Melissa Manka was the previously authorized signer along with Bill Cleary. Holly presented a new form to appoint her so she can sign documents for submission. Deb motioned to make Holly the alternative authorized signer. Pat seconded. Motion passed 4-0.

NOTICE OF PUBLIC HEARING FOR ZONING BYLAW AMENDMENT TO OCCUR APRIL 15, 2024

No action was required by the Selectboard. George Lamphere from the Planning Commission (PC) was present. He explained that the PC is looking at changing/revising the signs section of the Westford land use and development regulations to allow for internally illuminated signage on commercial properties and they will have a public hearing on April 15th where people can comment.

REVIEW PROPOSED UPDATES TO MOBILE FOOD VENDOR ORDINANCE

The new proposal would allow mobile food vendors anywhere in town and not just in the village center. The described fee structure was moved over from our original ordinance. Pat thought we should extend the months mobile food vendors can be around, as it could attract more people. Bill was concerned that the 30-day approval schedule for the zoning administrator. He would like to shorten the approval time to 15 days. George thinks rushing any decision comes at a risk. Pat asked Harmony Cism, Zoning Administrator, what she thought. She reminded the board she only works part-time and can get to most applications within a couple weeks, but she cannot guarantee that. All other permits have a 30-day window. Deb made a motion to decrease the fees to \$200. Pat seconded. Motion passed 4-0.

PLANNING COMMISSION CANDIDATE INTERVIEWS

Candidates for the Planning Commission were to be interviewed. The PC had not interviewed the candidates but had invited them to a meeting where they could introduce themselves. Maureen Reilly noted that two candidates chose not to engage with the PC's meeting, but they did attend the meeting.

Ian Gehlbach was present. He is new to Westford though he grew up in Vermont. He works in insurance. He is a supervisor and is used to working with multiple personalities. Wendy asked if he had any experience writing grants. He does not, but he does a lot of writing for his job. Pat asked what other peer to peer teammates Ian has in his organization. Ian gave a description. Wendy asked Ian to touch on his decision making process. He makes many decisions every day, some are straightforward while others are complex.

Lori Johnson was present. She thinks she can bring a different perspective to the PC. She lives in the village center and can represent those living there. She is used to troubleshooting complex problems and producing solutions. She always looks for alternatives to issues. She has a lot of ideas she thinks could help the town. She does not want to see a ton of development but does think we should have some. Pat commented that historically Lori has been vocal against the PC and has, in certain circumstances, suggested that they have been hiding information or lying. He wants to understand what actions she would take to work with the team of four other members. She would be eager to share different ideas and perspectives

and would hope they listen. Wendy asked if Lori had written and/or administered grants. Lori has some experience since she'd written one for the Red Brick Meeting House that.

Seth Jensen was present. Seth was seeking a re-appointment to the PC; he has been on the board since 2005. He grew up in Westford and wrote his senior thesis on Planning Conservation and Open Space using Westford as a subject. He has a full-time job in Planning, and has worked for the towns of Richmond, Jericho, and Huntington. In 2011 he became Senior Planner at the Lamoille County Regional Planning Commission, where he is now Deputy Director. He understands the state discussion, tools in planning, and trends. Deb asked for his experience with grant writing and state applications. Seth wrote a municipal planning grant for the town of Westford back in 2012. That was awarded and it funded the first alternative study of wastewater to do soil tests at the Common Hall and the Red Brick Meeting House, as well as looking at groundwater and other constraints. It also funded informational meetings for the Form Based Code. Professionally, he wrote and administered several flood mitigation grants that also dealt with FEMA, state permitting, brownfields permitting, army core permitting, and more. The work funded by those grants prevented flooding in the village of Jeffersonville in 2019. Pat commented that there has been an accusation that Seth has a conflict of interest in working with the Westford PC. Seth responded that Westford has a Conflict-of-Interest policy. There is no conflict between his work with the LCRPC and his role in Westford since Westford is in Chittenden County, not Lamoille. There have been a few times he has disclosed potential conflicts when Westford has applied for competing grants against Lamoille County.

Paul Birnholz was present. He is a long term resident. He has been involved in low income housing and conservation professionally. He was previously chairman of the PC. He wants to be on the Planning Commission again because he thinks there is a disconnect between the current PC and the town. He does not think the PC is open to new ideas. He has worked closely with Vermont Housing Conservation Board. He was on the WAC. He believes that people's concerns about development are what made people vote 'no' on wastewater. He does not think the town plan represents what people want. He believes surveys conducted by the current PC purposely misled people. Wendy asked if there were any grants he was involved with. His experience with Housing Conservation gave him experience with grants. Pat commented that the town's zoning is structured for responsible growth because it encourages a clustered development in the village, which keeps sprawl down. What fresh ideas does Paul have? Paul believes the town Common should be preserved. Paul understands clustering development around the center, but he wants to preserve what we have by developing around it.

The appointment will be deliberated in Executive Session and decided at the end of the meeting.

ANNUAL APPOINTMENT OF OFFICES

Common Commission: Lori Johnson (expires 2027), Suzanne Kearnes (expires 2026)
Caroline Brown (expires 2025)

Conservation Commission: Kirsten Tyler (expires 2028), Elias Rosenblatt (expires 2028)

DRB: Matthew Wamsganz (expires 2027), Francois Ross (expires 2027)

Recreation Committee: George Elliot (expires 2027), Andrew Katz (expires 2027)

Cemetery Commission: Glenn Rogers (expires 2027)

Fence Viewers: Scot Phillips, Barb Peck

Inspector of Wood & Lumber/Weigher of Coal: Kyle Hobart

Land Agent: Benjamin Stark

Town Agent: Willis Breen

Town Grand Juror: Willis Breen
Tree Warden: Owen Jacobs

Deb made a motion to accept the candidates as presented and for the terms as presented. Casey seconded. Motion passed 5-0.

TOWN OFFICE FEASIBILITY STUDY PHASE I UPDATE

Holly explained during the Feb 22nd meeting they had been provided an update of the feasibility study. Some questions were if it were possible to purchase an easement into the wetland buffer that encompass a portion of the property. It is possible, but it is the last resort and costs \$0.25 per square foot. The civil engineers and the State would need proof that we have explored all other options. The other question is if the town had considered adding a third story to the current building. Yes, early plans in the process had a third level added to the current building, which included an additional vault. Weiman Lamphere and employees at the time determined that the third story option was viable, but did not solve the current space constraints, especially considering ADA and new building code regulations. It also did not give enough space for future growth within the town office. That design was set aside in favor of a new building. The third question was about wastewater flow. Weimann Lamphere asked their civil engineers to produce an estimate for the town office only, but the library currently shares the system. With a new town office building adding more square footage, they estimated a 670 gallon per day requirement because the design included a kitchen and gathering space. If we want to continue using their services we would invite them back and consider a Phase II contract. Pat asked how we might get the gallons per day for the library so we can move forward with alternatives? Weiman Lamphere's scope was only the Town Office, so they did not look at that. Holly does not know if it would be an additional cost and see what they may need for usage. Bill agreed with Pat, maybe we should reach out to Weimann Lamphere and see what they would charge us for that Library capacity. George Lamphere from the PC asked if the offset fees if the town office building were to be inside the wetland buffer were a one-time fee or a reoccurring fee? It is a one-time fee.

Seth Jensen was present. Regarding the wetland, at one time the Wastewater project had thought about a small pump station in that area of the Town Office property. He would encourage direct dialogue between the Town and the Wetlands Office on what that would require because at that time, Westford was told because we had a parking lot on that space that was already distributed, and we did not need to pay for it. We should ask Weiman Lamphere about that. Regarding the third story, in Jericho they were able to address the concerns of a third story with a prefab second stairwell which was significantly cheaper. Regarding wastewater, there are determinations in the Stone Environmental engineering about the Library's need. What the architect says is larger than the estimates in the Wastewater project and is indicative about needing additional capacity. We have a contract with an engineer for wastewater that could do the exploration with the library. Finally, it may be worth engaging with existing property owners. Seth was not in favor of disinvestment in the town center he thinks that is the worst thing for our rural character. Lori Johnson was present. She commented that WAC is working to calculate the capacity for the town office and library currently. Pat asked if the calculations considered this new building design. They did not.

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.

Deb made a motion to renew the upcoming \$150,000 CD for 6 months. Pat seconded. Motion passed 5-0.

CORRESPONDENCE

There was no correspondence.

COMMUNICATION

There was no communication.

EXECUTIVE SESSION

Deb motioned to find that premature public knowledge of matters relating to the appointment of a public officer would put the Town at significant disadvantage. Pat seconded. Motion passed 5-0.

Deb motioned that Per VSA section 313(a)(1)(F) I move to enter Executive Session to discuss appointment of a public officer and invite Holly Delisle to attend. Wendy seconded. Motion passed 5-0.

Executive session adjourned at 10:36.

PLANNING COMMISSION APPOINTMENT

Wendy motioned to appoint Ian Gehlbach to the Planning Commission for a 3-year term to expire in 2027. Casey seconded. Motion passed 5-0.

ADJOURN

The meeting was adjourned at 10:47 p.m.

Respectfully Submitted,

Bill Cleary, Chair
Selectboard


Callie Hamdy
Minute Clerk

GUEST LIST

Bill Hill	Lori Johnson	Dave Gauthier	Carol Winfield	Thomas Lane
Paul Birnholz	Alice Astarita	George Lamphere	Robert Schipper	Tina Shoup
Mark Letorney	Ron Rodjenski	Jesse Emilio	John Doane	Lori Herr
Ben Bornstein	Joan Farmer	Maureen Wilcox	Harmony Cism	Andrea Letorney
Dick Lavallee	Tess Lavallee	Diane Siegrist	Greg Baker	Peter Jorschick
Sheila Franz	Martha Heath	Kim Guidry	Ira Allen	Cori Hill
Maura O'Brien	Andrew Fulton	India Tressault	Rich Golden	Morgan Emanuelsen
Janet Golden	Ian Gehlbach	Francis	Tom Orfeo	Sue Roediger
Joel Fay	Ann Schipper	Kim Phinney	Greg Bemis	Janice
Sue Thibault	Seth Jensen	Louise Jensen	Tom Thibault	Emily Hackett
Mo Reilly	Tara Periera	Barb Peck	Kirsten Tyler	Lynnette Claudon
Elias Rosenblatt	Ann Maloney	Basil Panattu	Erin Panattu	Mark Drapa
Galen Hurr	Peggy Rogers	Clayton Wilburn	Thomas Lane	

ADOPTED THIS 11 TH DAY OF APRIL 2024.

WESTFORD SELECTBOARD



William Cleary, Chair



Patrick Haller



Casey Mathieu



Deb Sawyer Jorschick



Wendy Doane