

**SELECTBOARD MEETING**  
**May 23, 2024**  
**Minutes**

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

Guests: see page 7.

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

**CHANGES TO AGENDA**

Added personnel aspect to the Executive Session, added Cemetery Commission Checking Accounts to the Treasurer's report.

**PUBLIC COMMENT**

Ben Bornstein, representative to CCRPC, was present. The CCRPC talked about meeting certain housing goals and thresholds. Ben is pushing forward inquiries about traffic issues and is on a subcommittee about such. The MERP grant is moving forward. Ben noted there was a possibility of applying for other grants, as well as monies that might cover solar for more efficient heating for the town garage and fire station. Pat Haller had brought to Ben's attention Efficiency Vermont (EV) and some of their available programs and funds. EV is a state recognized entity that provides help to municipalities to work on being more energy efficient, reducing energy waste, and transitioning away from fossil fuels. Wendy was curious about the current electric bill for the garage which is about \$410. Bill thought if Ben wanted to take the initiative and if Pat was willing to work with Ben, he is all in favor of it. The other board members agreed. Pat asked Ben how much runway CCRPC if we want to do a speed study in September. Ben said the earlier the better.

**PUBLIC HEARING: LAND USE & DEVELOPMENT REGULATIONS AMENDMENT**

Bill Cleary opened the public hearing for the proposed changes to the Land Use and Development Regulations for lighted signs. Carol Winfield was present and thought it was great and should be approved. Pat motioned to approve the amendment. Deb seconded. Motion passed 5-0.

The hearing closed at 6:33 pm.

**MINUTES**

Pat motioned to approve the May 14, 2024, Special Meeting Minutes as amended. Deb seconded. Motion passed 5-0.

**ROAD SCHEDULE**

Sean Cushing, Road Foreman, went over the Road Schedule from May 10, 2024, to May 23, 2024. Bill motioned to approve the Road Schedule as presented. Wendy seconded. Motion passed 5-0. Sean mentioned roadside mowing will begin the first or second week of June.

**FY'24 HIGHWAY BUDGET STATUS REPORT**

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

**HIGHWAY PAVING AND STRUCTURES GRANT UPDATE**

Sean and Holly applied for an annual grant opportunity to repave Westford Milton Road. It is

not a competitive grant. Each municipality is placed on a list and the more recently the municipality receives a grant the further down the list you move. We received a grant last year to pave Old Stage Road which put us in the middle of the list. When Holly heard back there was only about \$94,000 remaining available to Westford, but the estimated cost to repave Milton Westford Road is about \$400,000 with reclaiming existing materials. This is almost double the town's previous estimate of the project. The highest amount the state offers in this grant is \$250,000 so it is not ever going to pay for the entire project cost. We also have Old Stage and Westford Milton Road's repaving scheduled very close together, Holly suggested making them further apart to take better advantage of grants. The state would like to know if we want to take the \$94,000. We had gotten almost \$200,000 for Old Stage last year. Wendy asked if paving Westford Milton Road can wait another year. Sean confirmed it is rough and it's been being patched, but there is a section that needs to be cut out and repaved. If we don't have the money, we can't do it. Bill apologized to anybody that travels that portion of road, but they will put this project off until we have funds.

### **ACCESS PERMIT**

This is for Tom Charland who is looking to add a driveway off Chapin Road. This was part of an approved DRB application. The Road Foreman approved the site last week. Bill motioned to approve the access permit for Tom Charland. Wendy Seconded. Motion passed 5-0.

### **SHERIFF'S CONTRACT**

Sheriff Dan Gamlin and Deputy Brian Welsh from the Sheriff's department were present. There is a slight change to the dollar amount per hour in their contract for the upcoming fiscal year. Bill understands there's been increases in costs everywhere, but since we'd previously budgeted for less this will mean we get less service.

The contract states that the Sheriff will patrol certain roads, but the reports sent by the Sheriff's office don't show those areas being patrolled as often as VT Route 128. Brian Welsh explained he stops speeders at high speeds more often on 128 and felt it was the most life-threatening situation in town regarding traffic. Bill mentioned that the roads they hear about from residents are Woods Hollow Road and Cambridge Road etc., not 128. Wendy asked what the peak hours in Westford are. She lives on Woods Hollow and the traffic is difficult, the first car goes by at 4am. Brian starts around 6am and sees where the cars are. He'll take 128 and branch off from there. He'll sit on Woods Hollow for a while, but there's not a lot of places he can park.

Barb Peck was present. She lives on 128 and knows how fast cars go. She appreciates what they're doing on 128. Bill would like to see more patrols on the dirt roads. That is what most residents are concerned about, and he feels enforcement on 128 should be left to the State Police. Deb lives on 128 and there are areas where motorcycles come through at a very fast rate before they get to Woods Hollow. She would like to see more enforcement on 128 in different areas. She also travels the dirt roads and she's been passed on the dirt roads. She thinks with 10 hours a week we're asking a lot of the Sheriff. She thinks we need to go after the state to ask them to start enforcing speed on 128. Brian stated he spends 3 hours on our other roads each time he's here but he's not seeing much speeding anywhere else other than 128. Brian believes most people he catches are not from Westford. The fastest he's had on Woods Hollow is 75 mph.

Ron Rodjenski was present. We are not paying for a lot of time so how do we use that time most effectively? 58% of the tickets given in Westford occur on 128. Ron stated it's difficult to judge the response to our public's comments based on that data. When we get complaints, we should make sure we get as many details as possible so that an individual can be caught and

ticketed. It's Ron's understanding that the State Police will not assist us as they have a limited capacity. He also thought we could amend our Traffic Ordinance so that we get funds from tickets issues on 128. Wendy wondered if we could tell our citizens that we need clearer reporting to help traffic enforcement: license plate, car description, time, is it reoccurring, etc.

Joe Franz was present. A few years back when the Selectboard was interviewing the Sheriff we had heard about "blitz enforcement" as opposed to spending time all over the place. He thinks this may be effective on specific roads. Carol Winfield agreed. She used to ride her horses on Woods Hollow, but no longer does so since many large trucks use the road as a cut through. Dan asked if our radar device is on Woods Hollow Road, and could it give us average speed data? Sean explained it's moved around, and we have an older model that doesn't give us average data. Holly wanted to look at potential grants for better radar devices. Pat motioned to approve the Sheriff's contract. Wendy seconded. Motion passed 5-0.

### **BROWN'S RIVER COVERED BRIDGE REPAIRS**

The Historical Society had prepared a letter and pictures on behalf of the bridge and the work they felt needed to be done. In 2023, a group, including VT Heavy Timber and the VT Covered Bridge Society, looked at the bridge and noted damage. This is a unique bridge, it's the only one left in the state of Vermont with a specific sort of truss. VT Heavy Timber had quoted us \$42,000 to fix the bridge. Because of the dollar amount we would still need to go out to bid. Ron suggested that we should pay somebody experienced in these types of buildings and assets to write the RFP. Pat tried to get a grant to refurbish his historic barn, but to get RFPs the VT Historic Preservation gave him money to get a professional assessment of what needs to be done to make it historically accurate. Once that was done it was part of the RFP. The last thing Bill wanted to happen was for our Historical Society to feel like we're kicking this down the road. He thinks taking a measured approach as Ron described is important. Dave Gauthier mentioned the previous fundraising and the effort that had been put in for the last time the bridge received restoration. When the bridge was taken off the road it was a very long process, and the bridge was pulled off its original foundation with oxen.

### **SOLID WASTE CONTRACT DRAFT REVIEW**

There was still contention over the dumpsters. Pat thought we should ask each location that gets a dumpster if they are still happy with the size of their dumpster or if they need more, but no bigger than 6-yards. Holly wondered if there was something we could change in the dumpster section of our contract. Holly offered to reach out to each establishment to see if they would be happy with what they have for the next two years.

### **WESTFORD COUNTRY STORE LIQUOR LICENSE RENEWALS**

Wendy motioned to approve the signature of the three liquor licenses for Westford Country store. Pat seconded. Motion passed 5-0.

### **MOBILE FOOD VENDOR ORDINANCE REVIEW**

This was an amendment to allow food trucks anywhere in the town's limits not just in the Town Center area like it is currently. Pat motioned to approve the mobile food vendor ordinance. Deb seconded. Motion passed 5-0.

### **1705 UPDATE**

Holly and Carol met with the Vermont Housing Conservation Board (VHCB) and the Vermont River Conservancy (VRC) last week. The RC and the VHCB will still be interested if the town decides to purchase the 1705 property outright rather than relying on VHCB to make the purchase. If the town buys it, we will front the funds to make the purchase and sell an easement to the VRC for what they are interested in conserving, including a space for a

parking lot. The VRC doesn't hold property and doesn't have interest in holding the home. There is no special appraisal that needs to be done, but it must be done by a state certified appraiser. If the town purchased the property first, the appraisal would only be for the portion of land that is being conserved by the VRC, who would then reimburse the town that amount. The town would continue owning the parcel where the home is.

Bill thinks people may be surprised there's talk of the town purchasing 1705 outright. This is because when Casey approached the Pigeon Trust, they indicated they did not want to work with the VRC. Holly explained the brownfield must be remediated before anything happens on the property including the VRC conservation. Kim Caldwell, who deals with brownfields for the state, would want to know the scope of what the town is investigating on the property because the scope of the corrective action might be different than we thought. The state had recently tested the ground water around the property. The groundwater is not showing significant spread of contamination. There was a study done by UVM in 2021 that designates most of the undeveloped portion of the site as archaeologically significant which could delay things.

Holly explained that if the Town becomes the BRELLA applicant we could qualify for a municipal exemption. It can also provide funding for a Corrective Action Plan of the brownfields depending on the site plan. VHCB has 6 applications deadlines throughout the year. VHCB may be able to help with the town office and library's wastewater cost, but that is not clear. The town must continue to express public favor for this project for anything to go forward. The ability for VHCB to approve an application would look better if there was a housing component, but it is not required. The biggest thing to consider with 1705 is that we could move more quickly if we bought it outright, however there is taxpayer risk, and we wouldn't know how much could be refunded by the grantors.

Dave Gauthier and Deb Jorschick mentioned Peter Welch is putting together funds for Brownfields Cleanups. Dave asked how much parking the VRC is asking for. We don't know. Some of those details haven't been thought about yet. Ron reiterated what Holly said about community support. Because of the town's recent history of giving back funding for Maple Shade, lots of funders are now wary of giving money to Westford. It's important to have these talks in public so things are transparent. The timing of things is complicated. The biggest issue is the brownfields which can't move forward until there is a detailed site plan. There are rules we'll find out with BRELLA etc. If we become the owner of 1705 and want to pursue other grants or a modified site plan, we can amend such later, but it would require an additional round of approvals. Holly believes if the town owns the property and VRC doesn't have their own money to do mitigation that they wouldn't be able to get the conservation easement until remediation is done. It would be on the town to do the mitigation since we can get the municipal exemption which VRC can't get. Bill thought the Selectboard was on a tightrope with public engagement because we are talking about a private real estate transaction, but also this is a subject that the public wants to know about. Pat thinks we need to know more about the wastewater potential before we go into public sentiment. Holly thought that we should bring in the Planning Commission to draft a site plan.

David Tudhope is also not allowed to dig at the site until UVM is present because of the Archaeologically Significant classification. Anything that occurs outside of the house site must have somebody from UVM present. Bill asked what is the remediation if artifacts are found by UVM during archaeological preservation? Ron explained that the initial assessment, Phase 1, would be soil testing and would either confirm or deny the existence of significant artifacts or soils. If the property clears phase 1 there's nothing significant present, but if UVM does find something that needs additional analysis they'll order a Phase 2 survey. The Phase 2 survey could potentially shut the project down for several years where they would be scraping layers

away inch by inch. We can't get access to any federal or state grants without clearing this hurdle. Wendy asked if we had to pay anybody for the archaeological exploration? Ron explained if we're not under a current grant agreement with somebody he'd have to do research. UVM doesn't do it for free. Carol is not sure at this point this affects our plans because some brownfields work has already been done so capping that soil could still go forward. Pat thought even if we did the conservation easement the path to river access would still cause disturbance, thus UVM would still need to come in for that.

Bill asked Holly and Ron about the state's reimbursement on the Maple Shade project. Holly had not heard anything yet. They had sent an email earlier this week. We've been waiting for reimbursement for about 8 months. Wendy would like to send a letter to the state revolving fund expressing the Selectboard's frustration. The board agreed. Bill thought including Irene Wrenner and Julia Andrews would be prudent.

### **WAC MISSION STATEMENT REVIEW**

The Selectboard can decide to make changes to the WAC mission statement, so it reflects a more focused committee on 1705, or leave it as it is and put WAC on pause until the Selectboard gives WAC permission to explore other properties. Pat recalled that in January the Selectboard had said they were going to pause Maple Shade but continue to look for alternatives. We recognize 1705 may be an alternative but we don't know if it is. Being that the mission statement is to look for alternatives, plural, we need alternatives to Maple Shade, and we don't have any. When we went through looking at Maple Shade, we had a lot of people suggest we didn't look at enough options and right now we're setting ourselves up to only be looking at a single option again. What evaluations can we give and how can citizens make an informed decision on 1705 if we don't provide other alternatives? Pat thinks the WAC should get back into the game, get assistance with the legal work from the Board, and start looking beyond 1705. Wendy is concerned there are only 4 people left on WAC. She thinks we should find more alternatives and keep looking. She thinks more people need to be added to the WAC. Deb agreed. She doesn't want us to get to a point where 1705 is not viable and we are stuck again. Casey agreed that we needed to add members and that we need other alternatives, but he would pause WAC for a bit longer based on the outcome of the executive session later in the agenda. Bill thought Pat made a valid point since the optics aren't good if we don't provide other alternatives. Bill shared that the board made a 5-0 decision that the Pigeon Property was a strategic value to the town regardless of wastewater capacity. His problem with reactivating WAC immediately is bandwidth for Holly and the Selectboard. We could be working out some tough details and time-consuming details with that project. Pat is comfortable with discussing this after the Executive Session as new information may come forth. His main concern is that the wastewater alternative committee has been put on pause. He's nervous that we may not look at alternatives for a long time. If it is a continued delay, but not a cancelation of alternatives he feels that may be wisest. Bill stated the Planning Commission feels slighted that they were not included in the 1705 discussion, and he understands, but it is clear to him there will be some tasks that will arise that they will be more than qualified to tackle. If the Selectboard would put some of those tasks back to them it may clear up some bandwidth so that we can open WAC back up again. He worried about overtaxing the people at the table.

Barb Peck was present. She agreed with Casey, and she thinks there's two issues being spoken about in parallel. During the last meeting WAC was paused for more than one reason. One is personnel, they can't ask Holly and Ron to run two projects in parallel. She thinks having WAC paused is in no way canceling it. The whole point to put them on pause was to give people time to look at purchasing 1705 because it will be an asset to the town regardless

of wastewater capacity. She agreed with Bill that 1705 is probably a big asset even if we must wait a year or more to get the RC and the State on board, but she doesn't think we have the manpower to run these things in parallel.

Martha Heath was present. She thinks the Selectboard could keep WAC paused and work with the town's lawyers to get the agreement in place so that they can eventually look at private properties. That's what the lawyers are going to have to do, not any of the employees or WAC or Selectboard. At this point the WAC can't look at any other alternatives on the table until they have that legal agreement. Second, in terms of WAC membership, the original charge was 3 community members on WAC and WAC still has 4. What they don't have is a member of the Selectboard and a member of the PC which were two designated members. Martha said the town needs to heal. It doesn't matter what the PC did or did not do in the past. They have a lot of expertise which could be incredibly helpful to the Selectboard if we move forward with 1705.

Bill asked Holly to start a conversation with the Town Attorney to give us a cost of what an access agreement would be. The board proposed starting WAC back up in September to allow more bandwidth and so the Selectboard and Planning Commission have time to find a member to join WAC.

#### **WAC RESIGNATION**

Bill Hill resigned from the WAC. He was the architect behind the project matrix. The board accepted his resignation.

#### **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.

#### **CEMETERY COMMISSION CHECKING ACCOUNTS**

The Cemetery Commission met with Greg. A while back TD Bank said that the Cemetery Commissions accounts need to be changed. This is because at the time those accounts were created, they were set up as personal accounts. Greg wants to open accounts for the Cemetery Commission at Community Bank where the rest of the Town's accounts are. He also wants to create a separate account with Edward Jones because they are trustee funds. Bill wondered if it would be better to pursue a CD. It's important these funds be kept separate from normal town funds because they are for a specific purpose. Pat motioned to accept the recommendation of the treasurer to move accounts from TD Bank to Community Bank as well as with the trustee funds to go to Edward Jones for CDs. Wendy seconded. Motion passed 5-0.

#### **CORRESPONDENCE**

##### **Dog Bite Incident**

Last week there was an incident where Joe Franz visited a neighbor's house to let them know about a bear sighting. While he was on the property the neighbor's dog bit his arm. He reported it to the Dog Warden. The dog ordinance says that if the dog is on its own property that it cannot be considered as a potentially viscous dog. Matt had spoken both to Joe and the dog owner. The dog owner indicated they would get dog training and more control. There's not a hearing required because it falls within ordinance. Joe was present. His arm is significantly injured. He called it a dog attack instead of a bite. His main purpose was to document this. He met with the owners, and they were very apologetic. They think they can control the dog with

an invisible fence and training, but Joe doubts that. The Franz's use the adjacent property every day. He will defend himself if this happens again. He's satisfied with the response he's gotten from the town.

**Barb Peck, Correspondence to SB about why we should purchase the Pigeon Property.**

**Dog Incident on School Trails**

Haney Hamdy had written correspondence about loose and unsupervised dogs on the Misty Meadows trails. These incidents are frequent and make the trails unenjoyable and inaccessible to many people such as those with leashed dogs, children, and the elderly. They wanted better signage about dog behavior and had a strong desire to see leashes required. Pat suggested a newsletter article would be a good first step to remind dog owners to be responsible.

**COMMUNICATION**

There was no outgoing communication.

**EXECUTIVE SESSION**

Bill moved to find that premature public knowledge of matters related to personnel and property acquisition would put the town at a significant disadvantage at 9:59. Deb seconded. Motion passed 5-0.

Bill moved to enter executive session for matters of personnel and property acquisition at 10:00 pm and invited Holly Delisle and Ron Rodjenski. Pat seconded. Motion passed 5-0.

Deb motioned to exit the executive session at 11:03 pm. Pat seconded. Motion passed 5-0. No action was taken.

**ADJOURN**

The meeting adjourned at 11:04 p.m.

Respectfully Submitted,

Bill Cleary, Chair  
Selectboard

Callie Hamdy  
Minute Clerk

**GUEST LIST**

Ron Rodjenski	Dave Lavallee	Katrina Guidry	Dan Gamlin
Carol Winfield	Lori Johnson	Joe Franz	Brian Welch
Dave Gauthier	Harmony Cism	Martha Heath	Maura O'Brien
Barb Peck	Ben Bornstein	Sue Roediger	Maureen Wilcox
Sheila Franz	Ira Allen	Basil & Erin Panattu	Lynn Gauthier

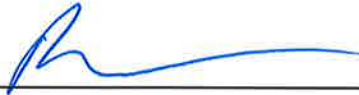
ADOPTED THIS 13 TH DAY OF JUNE 2024.

**WESTFORD SELECTBOARD**



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William Cleary, Chair



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Patrick Haller

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Casey Mathieu



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Deb Sawyer Jorschick



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Wendy Doane