

**SELECTBOARD MEETING  
May 9, 2024  
Minutes**

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

Guests: see page 6.

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**

Paul Birnholz believes there is a conflict of interest that has not been addressed. He thinks Pat Haller needs to recuse himself from any conversation to do with Wastewater. Holly did some research on this subject and consulted the Town Attorney about perceived or real conflicts of interest, and the person who has a perceived conflict of interest may explain why they believe they can still participate fairly. The board can take in that information and choose to ask that person to recuse themselves if they feel that person cannot act impartially. It is also appropriate if that person chooses to step aside. Paul thinks Pat may be financially affected by Maple Shade. Paul also pointed out that Pat's wife is on the Westford Common Hall board. He felt Pat's comments on Front Porch Forum from when Pat was not on the Selectboard also established conflict. Casey wanted to leave it up to the board to discuss. Pat described his property in relation to Maple Shade. The property is not in the proposed services area of the Community Wastewater System. He has never wanted to be in the service area for that parcel. He will recuse himself from any Common Hall discussion. Paul felt this was not sufficient. Casey asked Pat to recuse himself from Wastewater discussion for this meeting until this can be resolved fully. Casey motioned that Pat recuse himself until the board can do further discussion and discover if he truly has a conflict of interest. Deb Seconded. Motion passed 3-0. Pat recused himself.

**MINUTES**

Deb motioned to approve the April 25, 2024 Minutes as amended. Pat seconded. Motion passed 4-0.

**ROAD SCHEDULE**

Sean Cushing, Road Foreman, went over the Road Schedule from April 26, 2024 to May 9, 2024. Pat motioned to approve the Road Schedule as presented. Wendy seconded. Motion passed 4-0.

**FY'24 HIGHWAY BUDGET STATUS REPORT**

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

**ROAD COMMITTEE REQUEST FOLLOW UP**

Rebecca Davanon had followed up on the Selectboard's discussion about revitalizing the Road Committee. Wendy thought she made some good points about getting citizens to report and document trouble spots. She asked Sean if that would be helpful. Sean said that they

already hear about problem spots. Pat explained that when we work with the State to make changes we have to meet certain data thresholds. When there are accidents that are reported to the State that becomes a datapoint, but if we have unreported accidents we still may have issues. Holly mentioned that we get calls all the time about roads that need attention, but we do not often get calls about accidents. Holly thought some of Rebecca's suggestions were calling for more information to the public about what the road crew is doing. She uploaded all of 2023 and 2024 Road Schedules to the Town Website.

Rebecca was present and read aloud a statement. She is representing various voices that typically talk on Front Porch Forum. She would like to see a data-driven approach to the issues being presented on FPF for safety and how the town can better support the road crew in their work. She called for a road committee to look at the issues, resources, and studies that exist, and existing data sets to address road conditions, road safety, and how to better support the road crew. She suggested that a new road committee look at what roads may be able to be paved or if paving is beneficial in any way. She also wanted to look at safety and the increase in traffic in Westford. She thinks a non-pandemic-era speed study is merited. Sheila Franz was present. She and Joe Franz think that the traffic flow should be added to the Planning Commission work plan. Development in surrounding towns has increased traffic. Barb Peck was present. She thinks right now there's not enough people on the road crew to look into this at all since they are down a member. A year ago, they did try and get a volunteer road committee, but nobody volunteered. She thinks the people on FPF should form a group and take Rebecca's list to see what they can do.

Casey appreciated the feedback but does not feel he can make a decision on this tonight. He would like the Selectboard to discuss more. Pat thinks we should find out from the Chittenden County Regional Planning Commission how much warning they need to provide us with a study. Wendy asked if Ben Bornstein could help us with that. Ben said with respect to the studies done last year, he went out and took video and watched at several different times of the day to get real life data to present to the CCRPC. If we want to try to move things forward the direction has to come in a unified manner from the Selectboard. There are additional programs with regards to safety.

#### **REVIEW AND APPROVE UPDATE FEE SCHEDULE**

Harmony went over the updated fee schedule for Planning and Zoning fees. The board had a few questions which Harmony answered. Permits in Westford are good for three years and if the project is not finished in that time frame the applicant can get extensions. She thought there needed to be an additional cost for project extension. Wendy motioned to approve the updated Fee Schedule as presented to go into effect on July 1<sup>st</sup>, 2024. Pat seconded. Motion passed 4-0.

#### **ROAD NAME DETERMINATION**

There is a new development going up across from the intersection of Westford Milton Road and Route 128. The developers need a road name and had submitted five names in order of preference. Their first choice was "Bull Moose Drive." Pat saw no reason Bull Moose Drive would be a confusing name. Pat motioned to accept Bull Moose Drive as the name for the 9 lot, 8-unit subdivision off 128. Wendy seconded. Motion passed 4-0.

#### **SOLID WASTE PROPOSALS**

We had three proposals for the town wide solid waste and recycling pickup: Casella, Myers, and Tuttle's. Holly had prepared a spreadsheet to compare the proposals. Myers has been our

hauler for the last 8 years. She thanked Myers for their services over the years. Casey Recused himself because his business works with some of the bidders.

Pat mentioned that Myers is the lowest by a substantial amount. Joe from Myers was present. Since they've been doing this work in Westford for eight years, they have a very good idea of what amount of money they need to keep things running and do pickup in town. Wendy was happy with the service Myers provided and their quote. Pat thinks the biggest difference that needed discussion is that Casella would be providing all homes with trash and recycling bins. He is not suggesting that we need this, however that is the biggest difference besides the cost. Joe mentioned that he communicates with residents about this a lot, most people will often choose to have their own totes, but Myers will provide them for residents when they ask. Megan from Casella was present. They are always going to provide their own totes. She thought that Myers was providing the town with a great rate. Pat motioned to accept Myers proposal. Deb seconded. Motion passed 3-0, 1 recused.

### **REVIEW LIVESTOCK DRAFT ORDINANCE**

The board had talked about this in their last meeting. A cleaner version of the ordinance was provided to the Selectboard. Holly wanted the board to discuss more on what they did or did not like about the draft so she could go back to the lawyer with that feedback.

Casey thinks this is something we need to move on quickly. Pat thought that the definition of livestock should not include smaller animals like fowl and poultry. The only one he might be convinced to keep is a goose because they can be problematic. Wendy mentioned turkeys can also be problematic. Pat thinks we are more concerned with the larger animals. Holly recalled that meeting Pat thought that the per head fee was high. Pat mentioned the Dog Ordinance. In the Dog Ordinance, incidents 1 and 2 do not require impoundment whereas the Livestock Ordinance goes to impoundment right away, instead of charging a fee without impounding the animal. We do not have an impoundment facility. Wendy thinks the difference between a dog and this larger animal is how dangerous they are to be loose on the road. We need to be serious about keeping these sort of animals off the road. She also believes the goose and turkeys should stay in our livestock definitions.

Dave Gauthier was present. He was in favor of keeping the fowl in the ordinance. Owners should be responsible for keeping animals off the road regardless of what kind of animal they are. Casey mentioned that last time he was on the Selectboard they had a lot of issues with chickens in the road on Westford Milton Road and they had no teeth or ordinance to keep them out of the road. Pat wondered what was considered an "offense." There was no offenses defined in the ordinance. Callie Hamdy, Town Clerk, suggested that specific nuisances be outlined in the ordinance like in the Dog Ordinance. They discussed whether to impound livestock and who would do so. Ron Rodjenski had dealt with this in Lamoille County. He suggested meeting with the enforcement people to go over scenarios. He advised going slowly and limiting our jurisdiction to a certain degree. The broader the scope of the ordinance elevates the taxpayer responsibility, and we will want to have a clear enforcement. Casey was curious what Bill's feedback was, although he was not present.

### **CHITTENDEN COUNTY SHERIFF CONTRACT**

We contract with the Chittenden County Sheriff for traffic enforcement. This years' service rate is and \$5 increase per hour. Otherwise, the contract is unchanged from last year. Greg noted that the amount of money we budgeted is the same as last year, so we would be getting less service for the same amount of money. We would lose about 30 hours of service. Holly thinks it is worth inviting the Sheriff to have a conversation prior to finalizing the contract. She also

noted he does not patrol during mud season. Pat thinks one of the things we can do to help focus his time is the road studies do have timestamps for speeding statistics. He thinks this should be provided. He talked with the Sheriff previously and asked about having him out during main rush hours, but residents noted speeders at other times as well. He thinks hitting commuting time is good but mixing it up is also needed.

#### **WAC UPDATE**

Pat recused himself.

Over the last week Holly has touched based with David Tudhope. He and Holly had a conversation where he said he was going to bring an engineer out to the site. As of Monday, he has not nailed down a time and date, so things are at a pause. Carol Winfield and Holly met Erin from the Vermont River Conservancy (VRC). It was a productive conversation. She sent notes to the WAC and Selectboard about it. The VRC is excited to bring that project back to life using VT Housing Conservation Board funds. In this conversation Holly specifically asked if housing needs to be a component. The answer was no, but conservation of the lower field would be required for river access. Holly is setting up a time to talk to Bill from the VT Housing Conservation Board and determine next steps. They invited Erin to a Selectboard meeting.

There is a very tight timeline for the VT Conservation Board. They need to determine their projects by September and the 1705 property owner wants to sell the property before then. Applications to the VT Conservation Board would begin this month. Holly's suggestion would be to hold a special meeting in the next week or so regarding this. Deb motioned to hold a special meeting to discuss the 1705 property at May 14<sup>th</sup> at 6:15 pm at the town office. Wendy seconded. Motion passed 3-0, 1 recused. Wendy asked if they wanted to make a decision about Pat's involvement prior. Holly will add it to the beginning of the special meeting.

#### **WAC COMMITTEE MEMBER RESIGNATION**

George Lamphere had resigned from the WAC. The board thanked George for his service.

#### **WAC MISSION STATEMENT REVIEW**

The WAC is looking for direction on their mission statement. At this point they have been given permission to investigate 1705 and the Selectboard has said not to move forward with investigating other properties nor have they given financial support to do that. It seems the mission statement no longer supports what work is happening with the Wastewater project. Holly suggested either amending the mission statement or pausing the WAC while they are working on 1705. Casey would prefer to pause until the next Tuesday meeting where they may know a better direction for an outcome. Wendy's concern is we are putting all our eggs in one basket at 1705. She thinks we should keep looking for alternatives. Casey is only asking to pause until we get more outreach on several different things such as Bill's presence and Pat's involvement. Holly asked the board to consider whether the Selectboard as a whole finds value in purchasing the property regardless of wastewater outcomes. Wendy motioned to pause WAC until they understand 1705 and the capacity there. Casey seconded. Motion passed 3-0, 1 recused.

Wendy had a question: did Paul Birnholz ever give permissions for his property? Holly explained because we have not drafted a more robust private property investigation agreement, we have not gone forward with any investigations on non-1705 properties.

#### **LOAN DOCUMENTS FOR NEW HIGHWAY TRUCK**

Greg Barrows, Treasurer, presented the loan documents for the board to sign.

## **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**

### **Community Request for ARPA Funds**

There was a community request for ARPA funds from Terry Bosworth. He is a representative from Westford Fire District 1. It serves 26 households. The end of their line goes down Hillside Lane for water and sewer. There have been excavations to repair leaks every winter since 2017. They need to replace that end of the line which is the most vulnerable because it is at the bottom of the system and has the highest pressure. There are also issues with the homeowner service line. Holly mentioned there is \$20,000 of unallocated ARPA funds. The ARPA committee accepted applications before making those original allocations. They are no longer an active committee. Pat thought that sometime in October they are going to evaluate if those that have committed funds are going to be completed by the end of 2026. Because the ARPA funds were to be balanced against a rubric he thinks anybody that would like to tap into those un-allocated funds should apply and we should apply the same rubric. Wendy thought that sounded fair. Greg thought that they should consider that if 1705 can do wastewater or is to be purchased by the town that will suck up the extra money. Wendy noted most of the other people awarded were for public spaces or civic property. The Selectboard discussed opening applications for ARPA funds in October 2024.

### **Agency of Natural Resources Water Quality Requirements**

A notice came through the Selectboard and may impact some community members. The Agency of Agriculture is revising the medium farm permit requirements and is taking public comment until June 23, 2024.

### **Chittenden County Forester Update**

Ethan Tapper is moving on from the County Forester role. For the part that he plays with Westford is that he manages the Maple Shade town forest logging, working with Evan Aiken. He thinks that project is winding down, so he is working with Evan to close out last winter's operations. The board thanked Ethan for his help and service.

### **Goats on Brookside**

A resident and her husband were walking and were chased and attacked by the goats who jumped on them, and head butted them repeatedly. During the Selectboard meeting, Barb Peck noted that the owner of the goats had posted on FPF stating that they do not believe their animals should be fenced. She believes that people should lodge complaints with the State Police and begin building a case against this individual.

### **Other Correspondence**

Maureen Wilcox had written concerned that the WAC had not agreed upon a sale price for 1705. Pat had experience with this from when they did the Jackson Farm and Forest project. A federal appraisal would need to be done and then the VT Housing Board would only be able to give us that amount even if the ask for the property was higher.

Vicky Ross had sent in a grant opportunity: The Village Trust Initiative. It could be a factor in the Pigeon Property if things go right. It would require the establishment of a Community Trust Organization.

Jamie Hazen and Ben Bornstein were present regarding trails and access to properties. The board received an email from the Conservation Commission (CC) asking the Selectboard to attend a meeting between the CC and Jamie Hazen. Ben mentioned that they would welcome that, and he feels it is a great idea. He also commented that it is critical that the rights of way and access via Goodrich Trail to his property be maintained. Ben reached out to a group of landowners surrounding the trail and they wanted to solidify a basic understanding between themselves and the Town. They would like to include anyone who has a direct or indirect interest in any decisions to have a seat at the table. This group wants to ensure that there is adequate and timely notice to the landowners about trail matters, and to set parameters to ensure institutional knowledge so that when boards turn over there is no loss of understanding in the future. Pat volunteered to the board member in the meeting. Wendy is very interested in this and volunteered as well.

### **COMMUNICATION**

Holly applied for the CSWD Community Cleanup Funds and received a response from CSWD accepting our application. It is a 50/50 split so if we want to buy compost bins the town could buy \$5,000 and CSWD would reimburse half.

### **ADJOURN**

The meeting adjourned at 9:20 p.m.

Respectfully Submitted,

Casey Mathieu, Acting Chair  
Selectboard

Callie Hamdy  
Minute Clerk

### **GUEST LIST**

Dave Gauthier  
Paul Birnholz  
Maureen Wilcox  
Dick Lavallee  
Lori Johnson  
Barb Peck  
Vicky Ross  
Jamie Hazen  
Terry Bosworth

Sheila Franz  
Harmony Cism  
Ben Bornstein  
Carol Winfield  
Marty Scanlon  
Joe Sinagra  
John Doane  
Ron Rodjenski  
Meghan Meilly

Basil and Erin Panattu  
Caroline Brown  
Kim Guidry  
Ira Allen  
Rebecca DaVanon  
Sue Roediger  
Maura O'Brien  
M. Letorney  
Max Tyler

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