

**SELECTBOARD MEETING**  
**September 12, 2024**  
**Minutes**

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

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**

Vicky Ross was present as Library Trustee. The Library is hosting a joint meeting of the Trustees and Selectboard next Thursday.

**MINUTES**

Pat motioned to approve the August 22, 2024 Minutes as written. Casey seconded. Motion passed 5-0.

Pat motioned to approve the August 29, 2024 Minutes as written. Casey seconded. Motion passed 5-0.

**CCRPC UPDATE**

Ben Bornstein, CCRPC Representative was present. Vermont Buildings & General Services has chosen to accept MERP applications from all municipalities. Holly and Ben presented a draft of the final application. The bulk of their efforts will focus on insulating, upgrading the doors, and meeting ADA requirements. They have gone through the Level 2 Energy Audit and the ADA Report, homing in on items that will have the largest impact. The garage doors, for one, are in danger of breaking down in the next 1-3 years. MERP money could save us a lot in potential replacement costs. Bill thanked Ben for his persistence in pursuing the MERP grant and for Pat and Holly's additional work on this subject. Ben expressed his appreciation for the staff on assisting with MERP. Kim Guidry asked what the potential grant award might be. The maximum amount MERP can award is \$500,000, but we are asking for around \$359,000. Bill motioned to approve the MERP Grant Application after Holly amends question 10. Deb second. Motion passed 5-0.

**ROAD SCHEDULE**

Sean Cushing, Road Foreman, went over the Road Schedule from August 22, 2024 to September 12, 2024. Deb motioned to approve the Road Schedule as presented. Wendy seconded. Motion passed 5-0.

Sean asked to contract out some plowing if we are unable to hire a road crew member before winter. Currently there are two total road crew members. Bill had no problem with this but hopes to hire a road crew member soon. Casey urged Sean to get out an RFP on this soon because many people are already booked for the season. Sean would also like to contract with our sand vendor for hauling in gravel to stockpile for winter. He is worried about having a winter like last year with our current supply. The Selectboard was on board with this.

## **FY'24 HIGHWAY BUDGET STATUS REPORT**

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

### **KICKBACK BREWERY SIGN LOCATION**

Josh Smith of Kickback Brewing wanted to discuss his sign location. It is in the Right of Way and his permit makes it clear it should not be there. He does not want to move it. The board does not have any authority to grant a waiver in this instance and an amendment to the regulations would allow all signs in the town ROW. Bill wanted to ask Josh to move his sign back out of the ROW to comply with his permit, but to also ask the Road Crew to trim some of the trees so that his sign is more visible. Pat agreed with Bill's offer but wondered if we might ask Josh to move the sign and then determine what limbs to cut. Bill asked if we are telling him where it needs to be on the frontage side of the ROW? Harmony Cism, Zoning Administrator, was present. Josh's permit notes a specific spot marked for the sign to go. He could apply again to get it somewhere else. Bill will communicate with Josh about the request.

### **PLANNING COMMISSION: INTERIM ZONING BYLAW**

Harmony Cism, Zoning Administrator was present. Matt Wamsganz, the chair of the DRB had worked with her on amending the Zoning regulations regarding the point system for subdivisions/developments in the R5 Zoning District. The required points will be lowered to 25 from 27 total, added the language 'licensed civil engineer', and added the word 'relocated' after 'existing curb cut'. Most developments were close to the 27-point threshold but struggled to make those final few points. Harmony mentioned this is a quick fix to allow subdivisions to get their approvals while wider changes to the Development Regulations will be made at a later date. A public hearing is needed to make these changes, Holly suggested the Selectboard meeting of 10/10.

### **TOWN PLAN: FORESTRY DISTRICTS**

Pat had previously done a deep dive into the current town plan, which mentioned potential Forestry Districts. Pat read the section in the town plan about the Forestry Districts. Bill asked Harmony how this is different than the contiguous forest blocks already mentioned in our Development standards. Harmony explained that there are no restrictions on contiguous forest blocks, it is just something to keep in mind when thinking about development. A Forestry District would come with restrictions. Bill thought the state already had good programs to conserve forest land. The Town Plan mentions a desire to investigate an area that could be a forest district. Wendy thinks this is something that the Planning Commission should investigate. Casey did not want to put any more restrictions on land owners. He would like to preserve forest land but ultimately it is not the town's land to preserve. Harmony had contact information for an individual in the VT Department of Fish and Wildlife who is an expert on Forest Districts. She thought he might be a good resource to come talk to the Selectboard and Planning Commission about what such a district might entail. Pat thinks we should think about how we encourage forest conservation without requiring it. Harmony explained that is where a conditional use comes in at the DRB. The DRB can allow certain things to happen in areas with restrictions such as the Water Resource Overlay, etc. Pat thinks allowing for more liberal conditional use possibilities as an encouragement. Bill would prefer to explore encouraging conservation outside of having a forest district over conditional use in a forest district.

Barb Peck was present. She thinks the Planning Commission should not make this a high priority. She believes the town should educate themselves on how many landowners would be affected. Barb does not think the Planning Commission is informed enough to go forward. She thinks having somebody from the state come to educate the town on what programs are available is a better start. Sheila Franz was present. She thinks the town plan needs to be

revisited and thinks we should do so before we examine what the current plan says. She does not think we are at any risk of overdeveloping our forests right now. Ben Bornstein was present. He is concerned because there is a map out there that shows several properties would be entirely in forestry only. He wanted to know the origin on the map, who submitted it etc. He wants the people responsible to come and speak to the town.

Pat recalls that the selectboard talked about what things in the implementation plan the selectboard might be able to work with the Planning Commission on. He knows this subject raised some eyebrows, but the focus seems to be 'why is the Planning Commission doing this and how dare they?'. This is planned for completion in 2028, so it is not as if they have been working on it currently. He asked the public to allow the process to go through and bring up questions. The Planning Commission is working for us all and he thinks they are trying to do a good job. Wendy noted the map in the packet is from CCRPC and the sources are from the State. Holly noted that if you look at the map the colored areas extend outside of Westford, and this appears to be a standard map for the state.

Pat noted that the Selectboard can ask the Planning Commission to hold off on this item until 2028. The Town Plan is also due to be redone in 2028 so the timing would work well. Bill was concerned that it would get lost or forgotten about through the next few years. Holly knows the implementation plan is something the Planning Commission tracks closely. That plan is also shared on the website. She suggested that a comment be made on that part of the implementation plan that this item is deprioritized until 2028 and reference this meeting's minutes. The board agreed to move forward with this action.

#### **WAC UPDATE**

The selectboard discussed whether to make the Wastewater Alternatives Committee (WAC) active again. Although there has been progress for 1705 there are still civic buildings and private homeowners that need solutions, so Bill had no problem reactivating them. Pat had heard previously from WAC members that they were only exploring capacity for the Town Office and Library. Would the reactivated WAC also be exploring capacity for the civic building and private? Pat believes it should be clear that we are looking for as many alternatives as we can to suit all the community within the district. Holly would be willing to staff the committee if the meetings were not weekly. Carol Winfield was able to come back as a WAC member. She clarified that exploring all options, town buildings, civic, and private were always part of their goals. Lori Johnson and Jeremy Berger were also able to come back. There was a Planning Commission member spot vacant on the WAC, they will discuss on their meeting on Monday. Pat was interested in being the Selectboard member of the WAC. Jeremy suggested that membership to the WAC be reopened because several members had stepped down. Having a wide variety of thinking has helped the committee in the past. Bill thought we already had more residents on the WAC than intended. There are currently four members of the public on the committee. The current WAC should meet and decide how many additional members they want, if any.

#### **LIVESTOCK ORDINANCE ENFORCEMENT**

Matt Bartholomew, our Dog Warden, indicated he did not want to take over enforcement of the livestock ordinance. As such, the town needs to explore how the new ordinance will be enforced. Bill feels it should be a Selectboard duty. Pat was confused because he recalled the board discussing adding this responsibility as a line item with our sheriff's contract. Bill wanted Holly to speak to Dan Gamelin about it since our traffic enforcement deputy had also indicated he did not want the responsibility. Holly noted that enforcement entails being responsible for a ticket book and talking to the animal's owner. Bill wondered again if a Selectboard member

could do that. Pat thinks it is feasible. Casey volunteered if Holly spoke to the Sheriff, and they said no.

### **OLD WESTFORD SIGN REUSE QUESTION**

Rich Golden asked if we want to reuse the old sign or if we wanted to donate it to the Historical Society. The WHS did not want the sign and there were concerns about putting the carved sign up as potential vandalization could make it difficult to maintain. The board wanted Rich to bring it to the town office so it can be looked at and discussed placing it at the town office or library.

### **ARPA FUNDS REVIEW**

#### **Administration**

The only one that will not be spent is the remaining money from the Town Website redo. The Selectboard's intention with the remaining wastewater money is to apply it to the purchase of the Pigeon Property.

#### **Westford Common Hall**

One of the WCH's allocated projects has been completed. The heat pumps have been installed and paid for. They were quoted more than expected because the heat pump company had not factored in the insulation and a few other items to the cost of installation. They also insulated the walls, attic and duct work in the floor. They had pulled funds from the ADA project and put it into the Energy Efficiency project. They are now asking for additional funds for the projects that got left behind such as the ADA accessible bathroom. The total request for the outstanding projects is about \$50,000. Bill explained the town could use ARPA funds with less restrictions than before. The WCH had also had a substantial amount of ARPA funds distributed to them.

#### **Recreation Committee**

They have a small amount left, under \$500, that was originally obligated to the pump track. They will be using that amount for pump track maintenance supplies.

#### **Red Brick Meeting House Society**

John Doane from the RBMH was present. The floor refinishing requires the lead paint of the original floor to be removed and then sanded. The contractors for this are ready to go on October 14<sup>th</sup> of this year. The acoustic panels are also an important piece that allows the building to function better as a meeting space. The new rear entry will allow for proper safety egress exits which it currently is not. To start that they want to put in a foundation. That can be independent of the other projects. Lead paint removal on floors, floor sanding, clean space, paint walls, acoustic panels must be done in that order. With all this, they would be over their ARPA ask. With their original submission they got out-priced on the market and had to make sacrifices. They wanted to get rid of the propane/hot water heater and heat pumps for example but no longer have the money to do so. They are focusing on things that make the present building better and safer as a meeting space.

#### **Conservation Commission**

Had not submitted theirs in the deadline. Holly will follow up.

#### **EMT/EMS**

Ben's work on this project came in far under budget. There are remaining funds. Ben will not run another program with the remaining funds. \$5,832 in remaining funds can be reallocated.

#### **Historical Society**

They have \$15,000 remaining and will spend it on a printer/computer set up and landscaping/special guests. All remaining funds will revert to the Covered Bridge repair.

### **Dog Warden**

Is asking to use their remaining obligation for the care of a terminally ill dog that is being cared for by a resident. The remaining ARPA funds would cover a significant portion of that cost.

### **1705 UPDATE**

Bill announced that they have a purchase and sales contract with the Pigeon Family Trust to buy the property. The town attorney recommends the town have the BRELLA policy in place before going forward. At this point, the Selectboard intends to use the \$150,000 in ARPA allocated for wastewater for half the purchase price. The board will need a special town meeting to use unassigned fund balance for a purpose other than an emergency. The vote will be a floor vote by hand and, if 18 people request, a paper ballot. This is not an article that will be mailed to all voters, it will be a floor vote only. Holly recommended the end of October or early November. The board wanted to discuss further before making a decision on a date for a Special Town Meeting. Upon the Pigeon Trust's permission, the purchase and sales agreement may be put on the website with personal information redacted. The document itself is public record and can be requested. Vicky Ross was present. She asked what the board's communication plan for informing the town about this topic? Bill had not thought of that, but they should have some sort of communication about this. Wendy and Deb offered to assist Holly and Maria with that.

### **NBRC FUNDING DISCUSSION**

Wendy and Holly had met with Ron Rodjenski about how we can keep this grant. The 1705 Property does not check a lot of the same boxes as Maple Shade project did, but using the funds for 1705 would support municipal buildings. NBRC said we need to pick a project and provide them with a well thought out scope of the selected project with community support. As of yet we have no project, nor do we own the property yet, we just have the purchase and sales. NBRC has been open to a change of scope for these funds, and they have no strict timeline if we wish to do so. Wendy thinks we should keep communication open to let them know where we are and then NBRC can decide. The last thing the board wanted to do was rush plans for the property. Bill announced that George Pigeon had paid the fee to the state for a wastewater permit which has been recorded at the town office.

### **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**

#### **Myers Trash Collection Concern**

A resident was concerned that they had some of their papers in their recycling dropped inadvertently on the sides of the road. They feel this happens quite a bit. Myers has been communicated with about it. Bill thought Myers should reach out to the resident. Bill will communicate with Myers.

#### **Conservation Commission Email**

A landowner wants to donate 40 acres to the town for the Conservation Commission, but the property is landlocked. The Conservation Commission has talked about meeting with the individual and then coming to the Selectboard. Bill felt the Selectboard should have been

approached first and the abutting landowners notified. Wendy thought they may have wanted to meet with the landowner to get more information. Holly explained that after the initial email, the Conservation Commission stated that they are only an advisory board and do not have the ability to accept donations but wanted to find out more before proceeding. Pat thinks as a Selectboard they have to think of what would the benefit to the town be and what would the risks be and take it from there. While he doesn't feel the property is attractive as a donation because it does not have access, he would want it explored in its entirety. Bill is an abutting property owner and would likely have to recuse himself from the discussion at some point.

Nancy Patch had provided a letter recommending Will Dunkley to the Planning Commission.

**COMMUNICATION**

Wendy and Deb will communicate with Holly about the Special Town Meeting.

**EXECUTIVE SESSION**

Bill moved to find that premature public knowledge of matters pertaining to property acquisition and evaluation of a public official would put the town at a significant disadvantage. Pat seconded. Motion passed 5-0.

At 10:07pm Bill motioned to enter executive session for matters of property acquisition and evaluation of a public official and to invite Holly Delisle to attend. Pat seconded. Motion passed 5-0.

At 11:11pm Deb motioned to exit executive session. Wendy seconded. Motion passed 5-0.

Wendy moved to appoint Max Tyler to the Planning Commission's vacant seat with Paul Birnholz as an alternate. Pat seconded. Motion passed 5-0.

**ADJOURN**

The meeting adjourned at 11:12p.m.

Respectfully Submitted,

Bill Cleary, Chair  
Selectboard

Callie Hamdy  
Minute Clerk

**GUEST LIST**

Lynn Gauthier  
Alex Barden  
Ben Bornstein  
Ian Gelhbach  
John Doane  
Joan Farmer  
Barb Peck  
Josh Smith  
Andrew Fulton

Dick Lavallee  
Dave Gauthier  
Caroline Brown  
Ira Allen  
Kim Guidry  
Basil & Erin Panattu  
Sheila Franz  
Amber Haller  
Greg Baker

Vicky Ross  
Carol Winfield  
Harmony Cism  
Dave Lavallee  
Sue Roediger  
Lori Johnson  
Rebecca Davanon  
Jeremy Berger

ADOPTED THIS 26 DAY OF SEPTEMBER 2024.

**WESTFORD SELECTBOARD**



William Cleary, Chair



Patrick Haller



Casey Mathieu



Deb Sawyer Jorschick



Wendy Doane