

**SELECTBOARD MEETING**  
**July 11, 2024**  
**Minutes**

|          |               |               |
|----------|---------------|---------------|
| Present: | Bill Cleary   | Holly Delisle |
|          | Casey Mathieu | Callie Hamdy  |
|          | Wendy Doane   | Greg Barrows  |
|          |               | Sean Cushing  |

Guests: See page 5.

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

**CHANGES TO AGENDA**

Added Farmers Market in discussion.

**PUBLIC COMMENT**

Sheila Franz was present and wanted to see if anybody had information on the car crash on Woods Hollow. There had been two separate incidents, one was a burned car and another where someone had overshot the corner and gone into the ditch.

Bob Bancroft was present and expressed concern that the Town Clerk used the town website to voice her opinions.

**MINUTES**

Wendy motioned to approve the June 24, 2024 Minutes as amended. Casey seconded. Motion passed 3-0.

Casey motioned to approve the June 27, 2024 Minutes as amended. Wendy seconded. Motion passed 3-0.

Wendy motioned to approve the July 3, 2024 Minutes as amended. Casey seconded. Motion passed 3-0.

**CCRPC UPDATE**

Ben Bornstein, CCRPC Representative, was present. He updated the Selectboard on the pursuit of the Municipal Energy Resiliency Grant. We are waiting for the results of the level 2 energy audit. He reached out to CCRPC regarding a requested traffic study and was told to deal directly with the head of transportation. Ben will meet with Holly, the Town Administrator, next week. CCRPC is also working on an update to their ECOS plan. They will focus on sustainable and projected development in Town Centers and improve non-motor vehicle access to Town Centers. Ben feels this might be difficult for Westford to achieve.

There is a large effort to be inclusive and create outreach and awareness to minorities. CCRPC had 50+ meetings this year about this and their statistics identify a large minority was Spanish speakers in the state. Ben felt they could have been more inclusive of groups like seniors and working poor. He had some issues with their methodology used.

Regarding the traffic study, Bill explained there had been concerns with the previous surveys the Town had done; they were not done at the optimal time. We had wanted a full summer survey. Ben explained we need everything set up by end of August when residents return from vacation and school is back in session. Ben also received calculations for paving a mile of road. It would be about \$251,000 per mile. Ben explained that data had come from Jericho which is relevant because of how close it is to Westford. Bill had talked with Jeff Hutchins, and he had explained if we timed it in his off season, he might be able to give us better rates.

### **ROAD SCHEDULE**

Sean Cushing, Road Foreman, went over the Road Schedule from June 28, 2024 to July 11, 2024. Wendy motioned to approve the Road Schedule as presented. Casey seconded. Motion passed 3-0.

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

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

### **FARMERS MARKET**

The Westford Farmers Market had been scheduled to take place in the side yard of the Country Store because using the Town Common, which is under the Town's insurance, made it difficult for vendors who sell food. Kirsten is requesting if the Market got its own insurance that they be allowed to move back to the Common. They had had a lot of interest from both vendors and potential customers and feel they have already outgrown the space at the Store. Holly did research with VLCT and with the Common Committee about what other towns do. VLCT looked at the insurance certificate Kirsten had provided with one day riders and had no problem with it. Of the towns they compared to, most have written agreement with their vendors that they comply with the State's regulations on Food Vendors. One that Holly thought was useful is the Champlain Island Farmers Market. It states that the Market itself carries a liability insurance and has each vendor sign off that they understand they are not covered by this, and they get their own insurance. Holly and Lori, Chair of the Common Committee, felt this was too large an event to approve without the Selectboard's input.

Kirsten Tyler from the Westford Farmers Market was present. 10 years ago, when the Market was on the Common the town did not require insurance, but things have changed. Wendy asked how this intersects with the Mobile Food Vendor ordinance. Holly explained that the Mobile Food Vendor ordinance requires the vendor carry insurance. A mobile food vendor is considered different than a Market because they are serving ready to eat food. Bill wanted Kirsten to vet the vendors. Kirsten explained the vendors are all approved before they are allowed to join the Market. In the waiver it says that any license, permits, etc. one must have to sell whatever they're selling needs to be obtained by the vendor and if the Dept. of Agriculture comes looking it is on those vendors.

Bill asked if Erin and Basil are okay with this since it was going to be at the Store. Basil replied that they are totally fine with it. They were only providing space to help, but it was a complicated thing for them, and they look forward to visiting the market themselves. Bill motioned to approve. Casey seconded. Motion passed 3-0.

Kirsten asked if there was a way to post on the Town Website the rules of the Farmer's Market etc. It has taken three years to figure this out. Holly thinks it would be good to review the Common Use application as well. She will work on drafting a document that can be presented to the Selectboard for review.

### **PLANNING COMMISSION RESIGNATION**

Mark Letorney resigned from the Planning Commission after over 30 years. Bill motioned to accept the resignation and to thank Mark for his service. Wendy seconded. Motion passed 3-0.

### **LIVESTOCK ORDINANCE UPDATE**

Holly had been working with the Town Attorney on a draft Livestock Ordinance. The changes to livestock laws passed earlier this year allow more significant penalties for livestock running at large. She asked the Attorney if that statute absolved the need for the ordinance. The Attorney still recommended an ordinance as this would make things easier to enforce and be more economical for the town. An ordinance is enforced by the Judicial Bureau instead of the

civil court. Holly had a new version of the draft ordinance. Wendy thought it was a good document, it gives clear guidance and consequences. It also gives enforcement some teeth which we do not have right now. Wendy wanted to change the fees from per head to per event. Bill suggested Wendy might be right in the softer approach and wanted to see recourse for the Selectboard to change or waive fees. Bill also commented that if we feel the ordinance could be stricter in the future, it can be changed. Once these changes are made, the next step is a public hearing so the board can get input.

Tara Pereira was present. She felt that additional fees could be hard on farmers. She wanted the town to give farmers benefit of the doubt. Carol Winfield was present. Last time this was talked about it was mentioned the differences between nuisance animals and a random occurrence. She does not believe this ordinance should punish people when accidents happen. She agrees with Wendy that we should start out gentle. She asked if there was a way to put leeway in the ordinance that the per incident fee is up to a certain amount. Bill liked this idea. Beth Albarelli-Lane was present. Is there anything in the document about expectations of fences? Some individuals choose to free range their animals on the public roads. Holly explained there was a section that talks about fencing, although the language she read was mostly about inspections of fencing after an incident.

Barb Peck was present. She has had neighbor's cattle come across her property, damage her fence, and her lawn, but she would not fine them. She agrees with Wendy, accidents happen and that's not where we should be penalizing people. She believes we should penalize people who do not follow the law. That is what is happening on Brookside. The Selectboard must have the option of discretion.

#### **1705 UPDATE**

There were no updates.

#### **REVIEW ACCESS PERMIT FOR PRIVATE PROPERTY**

The Town Attorney had made changes to the access permit language. Wendy had questions about "until or unless it is made public" regarding data collected. Almost all town documentation is public record or could be made public, although the board may want to talk in executive session about private property first. Bill likes the way it is written, as did Casey. Holly liked its simplicity and felt it was easy to understand. Tara Pereira wanted to know when the private property owner gets the information. Bill explained they are expected to be appraised during the process, but that they should keep it confidential until the information is made public. Tara asked what happens if the property owner does not want the information to be made public. Holly read the language again, the information does not belong to the property owner until it is made public. If the Town finds what they are looking for on a property, we would need to get a revised agreement from the property owner. If they were to share information with the property owner Bill would prefer to do so in Executive Session.

Lori Johnson was present. During WAC there was discussion on if the town pays for a study what is the keep the property owner using the information for their own benefit instead of the town's needs. That was correct, and part of the reason for new language changes. Wendy motioned to approve the access permit as presented. Casey seconded. Motion passed 3-0.

#### **SELECTBOARD DISCUSSION**

There was no additional discussion.

#### **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**

### **State Notice for Paving of Route 128 in 2026**

The Town had received a notice from the State of Vermont that Route 128 will be paved in 2026. Holly will be putting out a Front Porch Forum post with that information. The most controversial part is that the State is considering adding centerline rumble strips. Residents who live near that area may want to voice their opinion. Barb Peck was present, in 2013 they paved the 128 section from Essex to the beginning of Franklin County. She was very involved with that. They said it would last 30 years, but 128 is over a swamp so it deteriorates quicker. To her, rumble strips don't help. People already drive past her house at very high speeds.

Ben Bornstein attended the 4<sup>th</sup> of July Parade and wanted to thank all those who organized the celebration and activities. The board echoed Ben's sentiments.

### **Wastewater Correspondences**

Sue Thibault sent an email saying we should seek the money we still have available. Bill believes that the money is gone. Sue had rallied people to write to the Selectboard to reinvigorate Maple Shade. Wendy thinks the money Sue is talking about is funds in ANR that haven't been spent. We do not have a project right now. We need to do more research before any monies can be accessed. We do have one grant that still exists, the NBRC funds. They have not yet been rescinded.

Wayne Brown sent an email asking the board to move on from Maple Shade.

## **COMMUNICATION**

Holly will create a Front Porch Forum post about Route 128 Paving in 2026.

## **EXECUTIVE SESSION**

Bill moved to find that premature general public knowledge of privileged attorney-client communications would clearly place the Selectboard at a substantial disadvantage, including by revealing privileged information and possibly risking waiver of attorney-client privilege. Casey seconded. Motion passed 3-0.

Bill motioned to enter executive session at 8p.m. to review confidential attorney-client communications and to invite legal counsel and the Town Administrator to attend. Casey seconded. Motion passed 3-0.

Casey motioned to exit executive session at 9:51p.m. Bill seconded. Motion passed 3-0.

No action was taken.

## **ADJOURN**

The meeting adjourned at 9:52p.m.

Respectfully Submitted,

Bill Cleary, Chair  
Selectboard

Callie Hamdy  
Minute Clerk

**GUEST LIST**

Ben Bornstein  
Carol Winfield  
Dave Gauthier  
Dave Lavallee  
Kim Guidry  
Ira Allen  
Harmony Cism  
Lori Johnson  
Peggy Rogers  
John Klesch

Barb Peck  
Rebecca Davanon  
Bob Bancroft  
Erin Panattu  
Vicky Ross  
Sue Roediger  
Sheila Franz  
Joe Franz  
Elias Rosenblatt

Cat Morgan  
Maureen Wilcox  
Tim  
Basil Panattu  
Tina  
Kirsten Tyler  
Tara Periera  
Beth Albarelli-Lane  
Dick & Tess Lavallee

ADOPTED THIS \_\_\_\_\_ TH DAY OF JULY 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


ADOPTED THIS 25<sup>th</sup> TH DAY OF JULY 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