

SELECTBOARD MEETING
October 10, 2024
Minutes

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

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 THE AGENDA

Added CCCUD Budget after MERP Update. Added to Discussion: RFP for Front Porch Replacement at Town Office. Added Essex Rescue Quarterly Report to Correspondences.

Bill motioned to recess at 6:20, Wendy seconded. Motion passed 5-0.

The meeting was recessed at 6:20 p.m.

PUBLIC HEARING

Interim Zoning Bylaw

The public hearing was called to order at 6:20 p.m.

The Developmental Review Board (DRB) drafted Interim Zoning Bylaw changes after they noticed that applicants were struggling to meet their point system for the R5 Zoning District.

Tom Lafeo asked what made this an "Emergency Public Hearing"? Harmony Cism, Zoning Administrator, explained that this is a change between regulation update processes and the DRB hoped to expedite it for a subdivision that has their final hearing on 10/28. Carol Winfield was present. She wanted clarification on what zones this will affect. It will affect R5 which is primarily along VT Route 128 and VT Route 15.

Bill liked the changes and opened the Selectboard discussion. Wendy appreciates that this is a living document; changes can be made as needed. Wendy moved to accept the changes to the Planning and Design standards as written. Pat seconded. Motion passed 5-0.

Bill motioned to resume the Selectboard meeting. Pat seconded. Motion passed 5-0. The public hearing was closed at 6:30

PUBLIC COMMENT

The Selectboard meeting resumed at 6:30

There was no public comment.

MINUTES

Bill motioned to approve the September 26, 2024 Minutes as amended. Casey seconded. Motion passed 5-0.

Pat motioned to approve the October 3, 2024 Minutes as written. Casey seconded. Motion passed 5-0.

CCRPC ANNUAL REPORT

Charlie Baker from Chittenden County Regional Planning Commission (CCRPC) was present.

He presented the CCRPC Annual Report including things that CCRPC had done with the Town in the past year. He also brought up information on the ACT 250 changes.

The ACT 250 law that passed in the spring has implications both for CCRPC and the Town of Westford. Locations will be mapped that ACT 250 will now have jurisdiction over. In the next 9 months CCRPC will be working on a more permanent map to provide the Town. Bill wanted to make this a separate agenda item as he feels it warrants more discussion. CCRPC needs a few months before they can provide more information. They want to fully understand the salutatory requirements first. Charlie anticipates ACT 250 in rural areas like Westford will likely remain status quo for a few years.

In the next 2-3 months the state will come forward with a statewide housing target broken down into regions. The regional planning commissions are tasked with breaking these targets down into their member towns. The state wants more data on how many houses are being built and where. The Housing Needs Assessment indicates that the state needs approximately 6,000 new units per year but is currently only building 2,000 units per year. Charlie thinks it will take a long time for the building industry to catch up to these needs and that 3-4,000 units per year is more realistic.

Pat Haller spoke regarding MERP. He'd like the state to know that this has been difficult to go through as a Chittenden County town because our county is deprioritized. Charlie commiserated with Pat's feelings. He sees that there's been a reduction in Chittenden County getting grant funding in the past few years. Charlie feels this is affecting the rural towns of Chittenden County more and it is unfair. He doesn't think the governor will change his stance on this in the coming years, but he is in active talks with legislators about it. CCRPC is keeping track of all the unfunded projects in Chittenden County to bring forward how much money their member towns have lost out on.

Ben Bornstein was present. He will continue to push on MERP, and they are looking at more incentive type grants for the project at the Town Garage. He thanked CCRPC.

CCCUD BUDGET

The town had received correspondence from the Chittenden County Communication Union District. They were awarded \$2.3 million in funding to help broadband reach underserved areas in the district including Westford. They also sent a budget spreadsheet for the Selectboard to review. Holly clarified that CCCUD's budget is entirely grant funded and would not include any taxpayer dollars. Bill thought the board should reach out to our CCCUD representative, Julia Andrews, and see what we should expect from this going forward.

ROAD SCHEDULE

Sean Cushing, Road Foreman, went over the Road Schedule from September 27, 2024 to October 10, 2024. Bill motioned to approve the Road Schedule as presented. Casey seconded. Motion passed 5-0.

FY'24 HIGHWAY BUDGET STATUS REPORT

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

1705 UPDATE PUBLIC INFORMATION & REMINDER OF SPECIAL TOWN MEETING

Holly shared that the floor vote for spending \$150,000 of Unassigned Fund Balance for the purchase of the 1705 property is on October 22 at 6:15pm at the school. It is a floor vote only.

Holly noted that the Selectboard authorized official postings from the Town on Front Porch Forum (FPF). Holly asked the Selectboard if they had anything else they would like to see in a

fourth post. She's also prepared a slideshow that will be shown to the public after Selectboard feedback and approval. It will be shown at the 10/22 meeting.

Bill said the board had gotten a lot of questions on why the 1705 discussion happened behind closed doors without much public information. They were in a negotiation for the purchase and sales agreement which is an executive session topic. If the vote on 10/22 is successful he is going to motion that the Selectboard pause on this for a month and pick it back up after. Many of the questions are about what the Selectboard wants to do on the property and the costs. The Selectboard doesn't have a concrete answer right now. Bill wanted to engage the public in the discussion. Casey agreed with Bill but understands the concern about purchasing a property without being clear what to do with it. He feels it's a valuable property for the town both from a location standpoint and for a potential septic system for the Town Office & Library. We've been put on a timeline to purchase the property, or it would have been put back on the market/gone to auction. Pat noted they'll be discussing more at the 10/22 meeting, but the purchase would allow for expansion/replacement of the town office, which is sorely needed. Wendy agreed that septic need for the Town Office & Library is high on her list. Deb believes it is not for just the Selectboard to decide what happens and it should be part of conversations with the public. There will be costs associated with all this.

Bill addressed the added costs moving forward. The septic system proposed by David Tudhope would be approximately \$50,000. There's a line item in the Admin Capital Budget for a Town Office Septic System that has funds in it that may be able to cover that.

Bill wanted to address several of the correspondence received because they pertained to the 1705 Property. Mo Reilly emailed some questions which Holly answered through email. Mo was present as a private citizen, not as a member of the Planning Commission. She appreciated the response. She supports this in spirit, knowing it's an asset for the town. She encouraged the Selectboard to be more communicative on FPF because she thinks they can have more control over the narrative and share it more broadly. She believes that the people present at Selectboard meetings are very engaged, but there are lots of people that can't engage that way and only engage on FPF. Since she moved to Westford, Mo recalls that the cost and funding sources were well known before any decision was made. For example, with Maple Shade she knew what her tax increase would be before she voted. She's concerned the Town doesn't have that for 1705. Mo sees this as a big project with the environmental concerns, access to the river, renovations etc. which will all be expensive and may be more than the amount voted on, with a potential need for a bond vote down the line. She'd prefer we engage more with the public rather than letting private opinions fight it out on FPF. She sees a small tax base who just had a business close. We don't have a ton of tax revenue. She worries what this will mean in 5 -10 years. Bill replied that he is very frugal. He doesn't think we need to do anything major with that property right away. If we don't get a chance to own it then we don't have the opportunities it can bring.

Pat said that regardless the Town must deal with wastewater for the Town Office & Library whether it is on 1705 or elsewhere. He hopes it would be less costly using 1705. If we had passed Maple Shade last year it would have been a different situation. We have constraints on the office and need to either expand the current building or build new. That cost will be borne somewhere, and he hopes it will be with 1705. Casey also noted that the runoff from the Common needs to be dealt with. If somebody else owned the property it would require an easement which could be expensive and complicated. Bill suggested renovating the Pigeon House and moving some Town employees there could delay the need for a new town office. Callie Hamdy, the Town Clerk stated that while office space is strained, that is not why the office needs renovation. Both vaults in the Town Office are full and we will be out of space

within a year. Also, the town office currently operates with few employees; splitting them between two buildings would greatly decrease efficiency.

Martha Heath had also sent a correspondence and thought Holly answered her questions well. She thinks it will be hard for people to grasp what kind of expenses are coming. She thinks it's an important property for the town to own, but she also thinks we should have our eyes wide open about what's ahead. She thinks it's optimistic to think we're going to be able to get grants to cover those expenses. She was pleased to hear that we have money for the potential septic system for the Town Office and Library.

Rebecca DaVanon asked the Selectboard to read her correspondence aloud. Bill was not prepared to read the email out loud. Rebecca summarized that the current wastewater permit is going to be revoked because the well that was proposed was in a brownfield location. A new permit will have to be recorded with a well in a new location and assessed for safety due to the brownfield. The current well for the town office and library has been suggested to use. She spoke with the state, and it is still too close to the hazardous site. It also doesn't address the groundwater plume and only deals with the brownfield site. Holly clarified that the permit is being voluntarily revoked by the septic engineer after conversation with state brownfield and wastewater folks. Tudhope was not aware that the brownfield was located where the well was proposed. The state had pointed him to several locations for a new well. That is an active process. State brownfield representatives weighed in on the distance of the well from the brownfield. Holly does not know if the existing Town well could be used. Holly continues to be in close contact with Tudhope and the folks at the state. Rebecca stated that she knows she has a lot of questions, but should we be able to figure out a safe water, well, and septic she supports the purchase.

Lori Johnson was present. She thought Holly's posts on FPF were good and encouraged the board to repost the same ones multiple times to increase communication. She noted there are shared wells in the town already so sharing a well would not be unheard of.

Carol Winfield clarified that the only constraint to the current septic design is the location of the new well to supply the water for that system. If they were to use the existing town well would that clear the septic system on that property? Holly will be clarifying some of these questions. Pat wanted to be careful about that. If the deal falls through but a permit that includes our well than the town might be responsible for providing water to that site.

BUDGET WORKSHOPS

Cemetery Commission

Lynn Gauthier was present from the Cemetery Commission and presented the FY'26 Budget Request. She also provided a short history about the Cemeteries and Cemetery Commission. They are requesting a small increase.

Pat asked if the Cemetery Commission has ever had leftover funds in their budget? Glenn Rogers responded that no, that has not happened.

Westford Common Hall

Amber Haller was present from the Westford Common Hall and presented their FY'26 Budget Request. Pat Haller recused himself since his wife is the Chair of the WCH. They are requesting a budget increase.

One of the WCH columns was damaged and the WCH was quoted \$22,000-\$33,000 to replace it. Wendy asked if the column could be repaired. Maura O'Brien from the WCH was present and said the type of damage requires a full replacement. They will also be drilling

small holes into the other columns to assess if they also have internal damage. If they do, they will also need to be replaced.

Bill asked about their budget request, which was about twice what it was last year. Maura explained that two years ago their budgeted amount was reduced by the Selectboard, so this new ask brings them back up to what it had been before. Bill explained the reasoning behind that decrease was the hope that the ARPA funds would make the building more self-sufficient. Maura explained that they were told they could not apply for ARPA funds for their daily maintenance expenses, that's where they are suffering losses.

Red Brick Meeting House Society

John Doane was present from the Red Brick Meeting House Society and presented their FY'26 Budget Request. Wendy Doane recused herself as her husband is the Chair. They are requesting a small increase.

Bill goes to the Senior Luncheon at the RBMH. Sometimes he sees functions going on and he wonders what's happening. He thinks it would be nice for a sign to say what the event was. That could bring more exposure to attract more patrons.

Conservation Commission

Kirsten Tyler was present from the Conservation Commission and presented their FY'26 Budget Request. They are requesting level funding.

Recreation Committee

No representative was present from the Recreation Committee, so Holly presented their FY'26 Budget Request. Usually, they are self-funded, however, they are requesting stipends for event organizers for Fourth of July, Turkey Trot, and the Ice Rink Maintenance since they are such large undertakings to organize. They are asking for \$250 for each event coordinator and will kick in \$250 for their own funds for each. That would make their total ask is \$750. Bill noted we'd already said we would contribute some money for this specific expense.

RFP FOR FRONT PORCH REPLACEMENT AT TOWN OFFICE

Deb and Holly had written up an RFP for the replacement of the front porch and stairs at the Town Office and presented it to the other Selectboard members for review. The board will review the RFP in their own time and amend or approve it at the next meeting.

LAND DONATION REQUEST & TRAILS UPDATE

A landowner wanted to donate land to the town. Bill recused himself for the portion about the land donation because it concerns land next to his property. This is a parcel that is in the vicinity of Beaver Pond Road and Osgood Hill Road. The property is around 47.5 acres and landlocked. The owners would like to keep it untouched as it has been for the last 70 years. The donation would be for conservation purposes. Kirsten Tyler from the Conservation Commission (CC) explained that the owners wanted it to stay a forest and not be developed in any way. They had tried to put it in a land trust, but it was not ecologically significant enough or large enough. They are also talking with another interested land trust as well as the Town.

The CC had visited the land with the landowners in September. There is a well-developed logging road that runs through it along the stream. The trail follows this river, and the property contains mature forest as well as a beautiful waterfall. The CC shared some potential costs like a loss of \$500 in annual taxes, attorney fees and taxes for the property transfer. Sara Pinto had offered her services at no cost to the town. Any other fees would come out of Conservation Funds that are specifically allocated for these types of projects. Benefits of accepting the donation include a hemlock ecosystem in an undisturbed forest system. Its

untouched nature provides species more old growth habitat that does not exist elsewhere. This small parcel aligns with the state's goal of conserving 30% of the state's wild lands by 2030. It could increase the value of nearby land since it would never be developed, would reduce sprawl, and there is also potential to use the land as a study area. There is no legal easement to the property currently, so an easement would need to be established for Selectboard and CC members to access the property. Right now, the CC is only concerned with preserving the property as it is currently. The CC thinks this would be a great asset to the town; it's an important piece of forest that is old and beautiful. Kirsten provided maps as well as the logging road path. The property is varied in its topography so would be difficult to develop and log, although it could certainly happen.

Casey asked how accessing the property would work. Kirsten stated that there are several things at the state level indicating that no parcels in VT are totally landlocked as all people should be able to access property they own. The CC would not own the land, and any access decisions would be up to the Selectboard. Casey thinks coming in from Beaver Pond Road may be the existing logging road and he believes one of the adjoining properties is posted as no trespassing. We might experience resistance and would have to do our due diligence.

Travis Rock, an abutting landowner was present, and his land is posted property. He felt that the landlocked owner and CC trespassed on his land when they met and walked the land. Bill spoke as a private resident that he also felt that they trespassed. He was prepared to take the access issue further legally. Kirsten responded that the current landowners have had a verbal access agreement with the Andersons, the previous owners of Travis Rock and Marcie Gladden's parcel. The landowners were not aware the property had changed hands. Marcie Gladden was also present. She felt the CC should have included them in the conversation. Kirsten reiterated that they believed access permission had been granted to the landowners. Casey cut off conversation stating the Selectboard needed to do more due diligence on this matter before they moved forward. Pat wonders whether the other interested land trust would best serve the landowners. While a conservationist at heart, he wonders what other ways this land might be protected as they desire. Kirsten reiterated the landowners' wish was that it be left untouched, although they would not mind allowing hunting on that parcel. They are looking to conserve the property, not necessarily allow access for recreation. Wendy thought that we could accept it with the caveat that there would not be public access to address the surrounding landowner's concerns.

John Doane wondered if there was any other incident that was a conflict with the surrounding landowners over those 70 years. Casey thought this was good food for thought. Dave Gauthier asked if there was public access, where would they park? Casey thinks this will be tabled until we can hear from the landowners and see if we can get alternative access.

TRAILS UPDATE

There was also an update from the last CC meeting regarding trails. Kirsten explained that the CC drafted a landowner communication policy for when trail work is being done on trails that abut or cross private property. Kirsten read the draft out loud at the meeting. The CC wanted Selectboard comment. Bill thought this should be shared with the landowners to see if they have any concerns or edits.

Pat commended the CC for their work. As a landowner that has offered an easement to the town, he has thought through this quite a bit. Personally, he feels that even if they are going to be weed whacking, he'd like to have notice. Kirsten agreed that notice is important. She noted that the CC are all volunteers, and it feels like the CC is dealing with a lot and people are being negative towards them. They are tired of facing push back for trying to maintain the trails

for normal use. If this issue is not solved, they may have to pause trail maintenance. Wendy commended the CC's work, but felt the CC could do more to reach out to landowners. Kirsten's idea is for landowners, CC and Selectboard to be able to get all their input on the landowner communication policy. She wonders if trails would be left to degrade if a landowner doesn't want trail work happening.

Kati Anderson was present. She lives off the Schultz Trail. She and her husband, Jim, do not authorize maintenance on the trail portion that goes through their property. Kirsten reiterated it is a town Right of Way. She is not a lawyer so she will not speak about the rights the town does and does not have and suggests the town speak with our lawyer regarding this. Pat recalls that there is a VT Supreme Court Case regarding this issue; we may have to wait for that. We must work with the landowners. Although Kati has said they will work on the trail themselves, Kirsten said this is the first time she's heard about it. Pat said we want to keep the trails passable and have some legal issues to figure out. If the landowner wants to do the trail maintenance, we should take that up rather than fighting over access. He knows this is hard because they are all volunteers and are all in a difficult place. The town is as well. It sounds like a good solution for landowners to do the work. Joel Fay was present. He questioned if the town is admitting defeat if we have no control over the ROW? Pat wonders what happens when the trail is not passable, and the landowner says they are taking care of it, but they aren't? What do we do then? Joel asks what happens when somebody gets hurt? Who is liable? Bill asked Kati if she'd be willing to discuss with the CC about what she and Jim mean by maintenance. Bill asked Kirsten to email her draft to the landowners and include the Selectboard so they can stay in the loop.

WASTEWATER ALTERNATIVES COMMITTEE UPDATE

WAC has had two meetings. The first meeting was spent reorienting themselves to the mission and getting new members up to speed. They reviewed and updated the mission statement. At the last meeting they reviewed the access permission request that the lawyer approved and made it clear the document is a template and can be updated depending on the property. They are going to define a perimeter to look within to limit themselves. They will draft a letter to send out to each property owner within the determined perimeter. Pat noted that the town garage would be within that perimeter, and they are interested in investigating that property for wastewater opportunities. The Selectboard was amendable to this.

PRIVATE ROAD NAME REQUEST

John Roberts requested Hemlock Ridge Road as the name for his new private road off Plains Road. The only concern Bill has is E911 concerns but there is no other road name like that in Westford or surrounding towns. Pat made a motion to accept Hemlock Ridge Road. Casey seconded. Motion passed 5-0.

NEMRC PAYROLL CONTRACT RENEWAL

New England Municipal Resource Center (NEMRC) has contracted with the town to provide payroll support services for the last year. Bill thinks NEMRC has been doing a good job and frees up time for MJ. He asked if anyone wanted to bring that work back into the town office. Holly said no, they do a good job, and the new rate is only \$150 higher than last year. Bill motioned to approve the contract with NEMRC to do payroll noting that it has increased by 3%. Deb seconded. Motion passed 5-0.

REVIEW 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 AND PAYROLL WARRANTS

Greg Barrows, Treasurer, went over the Accounts Payable & Payroll Warrants.

CORRESPONDENCE

Library Grant Update

The Library had applied for a grant, but did not get it. Bill thanked Bree for her effort and wished for better luck next time. Bree explained there is a second round they will try for and feel like they have a good chance because it is limited to small and rural libraries. No cities or towns in Chittenden County received the grant in the first round.

Essex Rescue

Essex Rescue sent their quarterly report. The number of calls to Westford had increased.

COMMUNICATION

There were no communications

EXECUTIVE SESSION

Bill moved that premature public knowledge of matters relating to property acquisition would put the town at a significant disadvantage. Wendy seconded. Motion passed 5-0.

At 9:42 p.m. Bill motioned to enter executive session for matters relating to property acquisition and to invite Holly Delisle to attend. Casey seconded. Motion passed 5-0.

At 10:22 p.m. Pat motioned to exit executive session. Casey seconded. Motion passed 5-0.

ADJOURN

The meeting adjourned at 10:23 p.m.

Respectfully Submitted,

Bill Cleary, Chair
Selectboard

Callie Hamdy
Minute Clerk

GUEST LIST

Dave Gauthier
Michaela Crooks
Ira Allen
Kim Guidry
Ben Bornstein
Mo Reilly
Charlie Baker
Maureen Wilcox
John Doane
Kirsten Tyler
John Roberts

Lori Johnson
Carol Winfield
Dave Lavallee
Barb Peck
Glenn Rogers
Martha Heath
Bree Drapa
Rebecca DaVanon
Elias Rosenblatt
Amber Haller

Stacia McIntosh
Susan Schmidt
Tom Lafeo
Travis Rock
Darren Schuber
Maura O'Brien
Lynn Gauthier
Joel Fay
Ron Perry
Kati Anderson

ADOPTED THIS 24 TH DAY OF OCTOBER 2024.

WESTFORD SELECTBOARD



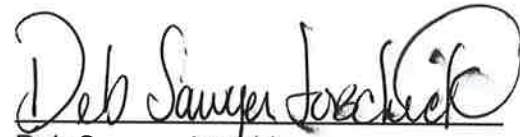
William Cleary, Chair




Patrick Haller



Casey Mathieu



Deb Sawyer Jorochick



Wendy Doane