

Currently, the elected, independent town clerk has been able to speak up for the office staff without fearing retaliation from the Selectboard. Deb also did not feel it would add workload and was in favor of it being appointed. Casey does not believe there will be an added workload. He is in favor of changing to appointed to open the pool up to people from other towns if necessary. Bill does not believe it will add workload because the selectboard doesn't intend to micromanage the town clerk. He does not think it would take away an elected position because the Selectboard consists of five people, and it would allow a bigger pool of applicants. Wendy does not know what the workload would entail. She thinks the board would have to set up metrics to evaluate the town clerk's job performance which would take work. She thinks the power should belong to the people and believes the Selectboard already has enough power. There is a process for filling the position if nobody ran for election.

Vicky Ross was present. If the position stays elected, what is the process if no one runs for election? Holly responded that there are statutes on how to fill a vacancy in an elected position. The nominating committee process is for filling appointed positions and is already outlined in the current town charter. Holly read the process out loud. The Selectboard would fill a vacancy until election is had. If they could not appoint anybody then a board member would take the place.

Sheila Franz was present via Zoom. She was in favor of appointment because she believe it would allow the Town Clerk to get benefits instead of just their budgeted stipend. Callie Hamdy, Town Clerk, stated that she has always received benefits for her employment with the town, regardless of her elected status. Pat responded that regardless of the position being appointed or elected the town clerk's position is budgeted. Bill stated that the Selectboard made a promise that they would have a discussion with the Town Clerk about her salary concerns after the November vote. He thinks it should be an hourly position instead of a salaried position. If it goes to an appointed position the current town clerk goes to the top of his list of candidates since she already has the experience.

Carol Winfield was present. If this were to go to an appointed position, she feels the current town clerk should be considered, but there should be a chance for people to put their resumes in. While she thinks the election portion sounds great, she cannot recall there ever being a contested race for the position. Becky Roy was present and informed the floor there was a contested race when Nanette Rogers originally ran for the position.

Andre Roy was present. The town has had problems hiring road crew members. He is not sure if it is a problem of pay rate or lack of applicants. If we go to an appointed town clerk is the pay rate going to increase to be attractive? He does not have strong feelings about being elected or appointed, but the person who is elected having to be in town means they would be familiar with the town and understand how the town operates.

Tom Lane was present. He would not want to relinquish his right as a voter to choose an elected position and feels the selectboard already has a lot of power. He thinks it would be an added burden to monitor the town clerk position. He feels we have a well-qualified and competent town clerk as it is. He did not know why people would want to change a town charter that has been around for 260 years. If there was a problem why didn't we resolve it? Pat responded that a petition from the public that was received. He believes the people that wrote the position saw a couple things happen; one was that the town office was closed to the public on Mondays because the town clerk sets the town office hours. That was based upon the town clerk asking the Selectboard to consider a different salary and it took the selectboard a while to have a conversation due to open meeting laws and needing to warn their meetings. They could not discuss the issue for a few weeks. In that time the town clerk got frustrated with

the lack of communication. The board sets the budget in November, and this was June. They decided it was not the time to address pay. In the meantime, voters made their petition.

Vicky Ross believes the reason for the charter language being the way it is, is because the treasurer position used to be elected. It was changed and the nominating committee measure was established. Wendy recalls salary being considered. We are more apprised of how we stand compared to communities of our size. That information comes from VLCT's annual survey and is consulted when hiring and budgeting. That said pay ranges usually fluctuate in the upward direction.

Barb Peck was present. She was one of the two residents on the nominating committee for the treasurer. It worked very well. They did research into what the pay was in different towns, they wrote the requirements for the treasurer for an advertisement, and it took time. The Selectboard ultimately appointed who they suggested. That was done after problems with the elected position that ended with blank pages in the treasurer's report for the town report. She is on the fence about the town clerk being appointed vs elected.

Bill commented that everybody has their least favorite person in town. What if that person ran for town clerk and they got in because they were the only person running? He does not think that serves the town well. Martha Heath was present. If somebody like that were to put their name forward you would see a write-in campaign or a contested election. She has seen that happen in the past. She argued we are best served by having separation of powers and having voters elect the town clerk. The town clerk runs our elections and is the forward-facing person for everyone that comes into the town office. That is very different than the treasurer position. We would be best served if we continued to elect the town clerk.

Joan Farmer was present. She opposes the selectboard choosing the town clerk. She does not want people's control of the position to be removed or for the town clerk to be under the thumb of the Selectboard, potentially afraid to express their opinions. Furthermore, in over 30 years that she has lived in town there has only been the highest caliber people that have run for town clerk. She supports leaving it up to the very smart and active voters of the town. Do we want somebody from a town such as Essex Junction or Winooski coming in and making decisions about Westford that they might know nothing about?

Rebecca Davanon was present. How would they ensure the elections are still secure if the position were appointed under the Selectboard? The Town Clerk and the Assistant Town Clerk would be the only individuals to have the combination to the vault regardless of the town clerk's status as appointed or elected. Rebecca stated that the Charter's Section 5: Removal could be used if someone unqualified was elected.

Andre Roy stated that with an appointed position the Selectboard has the authority over the appointee. A few years ago, we had serious problems with a road foreman where nothing was done. The response from the Selectboard was very trusting regardless of the problems. If the town clerk appointee is not doing their job well would the selectboard react to that positivity when people step forward? Andre made a motion to end the hearing. Lori Johnson seconded. There was no opposition. The next public hearing was on October 3rd.

Bill made a motion to reconvene the regular selectboard meeting.

PUBLIC COMMENT

The Selectboard meeting resumed at 7:24pm.

Dan Strobridge commented that he thought there was a list of businesses in town. Where is that list? The selectboard members were not aware of one, although Bill believes Dan may be

referring to the information that came out of the Westford's Future forums. Bill commented that Dan could make that list if he would like.

MINUTES

Pat motioned to approve the September 12, 2024 Minutes as amended. Deb seconded. Motion passed 5-0.

Wendy motioned to approve the September 19, 2024 Minutes as amended. Deb seconded. Motion passed 5-0.

CCRPC UPDATE

Ben Bornstein was present. He and Holly got the final MERP application in on time and it is now in the hands of the State. There was another meeting regarding the traffic study so that is also moving forward. He reached out to get an authoritative summary of the amendments to Act 250. There will be changes to housing standards and housing targets.

Holly added she met with Sai from CCRPC traffic division. They would do another traffic study but have concerns because we have not implemented many suggestions from the previous study. They worry that if we do another study, it may not bring enough difference to be worth it but are happy to do it if requested. The Highway Department has put up two of the recommended signs. Sai will come out to Westford to review the proposed stop sign location on Covey/Old #11 and will offer suggestions. They also suggested we add an intersection realignment study to the UPWP application. CCRPC will work with us getting a grant for the speed radar signs.

ROAD SCHEDULE

Sean Cushing, Road Foreman, went over the Road Schedule from September 13, 2024 to September 26, 2024. Bill motioned to approve the Road Schedule as presented. Deb seconded. Motion passed 5-0.

Several traffic cones remain at the bottom of Phelps and Pettingill. The town does not own them. Sean had been able to utilize one, but we should find the owners.

FY'24 HIGHWAY BUDGET STATUS REPORT

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

REQUEST FOR HORSE CROSSING SIGN ON WOODS HOLLOW ROAD

John & Betsy Beresford are asking for a Horse Crossing sign on Woods Hollow Road where they have a horse farm. Because of the high rate of speed on Woods Hollow they would like signage warning drivers of potential riders. Bill had no objection, however what is the cost of the sign, and can Sean fit the signage in?

Holly has asked John Wilkins at VTRANS to see who would pay for the sign. There are certain cases if a sign is listed in a specific book the town has to order for the sign and pay for it. If it is not listed a person can pay for it and work with the Selectboard. The Beresford's were okay with paying for the signage, they just want permission. Wendy supported paying for the sign. Deb was also in support. John Doane wanted to suggest that there be two signs, on the north and south sides of the Manley Road intersection. Wendy motioned to pay for the horse crossing signs and have them installed on Woods Hollow Road north and south of Manely Road and Maple Tree Lane. Casey seconded. Motion passed 5-0.

REQUEST FOR BIDS FOR PLOWING & SANDING

Sean and Holly worked on the RFP for plowing and sanding, and it was ready for Selectboard approval. They want to hire somebody by October to have them ready to plow by November.

Bill asked why are we asking for plowing and sanding as separate bid amounts? Sean explained that is in case the contractor charges different prices. Casey asked who is supplying the sand? The contractor will supply the sand. Pat motioned to approve the request for bids with changes, Casey seconded. Motion passed 5-0.

REVIEW RADIO AD FOR HIRING ROAD CREW MEMBER

Deb and Casey had been working together to make a radio ad for the hiring of road crew members. The board discussed scheduling and pricing. They had interviewed an applicant earlier today that needs to be discussed in executive session. Once that is discussed they will know how to best move forward. The board decided to table it until they had discussed the applicant. Casey motioned to approve an ad if needed. Pat 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.

SCHOOL DROP-OFF PARKING ALONG BROOKSIDE ROAD

A resident had written concerned that school pick up and drop off at the Westford School is awkward on Brookside Road because cars are parked on both sides of the road. This began during Covid. In the past, the buses waited by the school's front doors, and parents dropped kids off in the dirt parking lot. Now busses park in the dirt lot and parents line up along the school entrance and into the road. The resident was concerned about the accessibility of emergency vehicles and the safety of children. The line begins early and by the time school goes in they are past the Barn School on one side of the road and past the Haller's on the other side.

Holly spoke with length to School Board Representative, Andre Roy. Holly also has firsthand experience with this issue. Andre, as a school board member, had not heard of this issue so the School Board might be unaware. Andre has offered to bring this to them for discussion. Wendy asked if anybody has talked to Marcie, the Principal about this? The PTO has but has found their response unhelpful. It has been ongoing for a while, and it does not sound like much had been done to change things.

Casey was alarmed that ridership on the bus was down so much that parents had to go through this. Holly had talked to Andre about this. They think it is partially habit, but the buses are also inconsistent with drivers being less available. For some parents, bus ridership is not as efficient anymore. Kids also spend longer on the bus than in previous years. Casey was hopeful Andre would bring this to the School Board and that the Selectboard would hear more when Andre has had that discussion. Andre believes it will be discussed at the next meeting if not the subsequent meeting. He also had a conversation with the safety officer, and he said the situation is not unique to Westford, it is district wide. He assured the board they were looking into it. Andre also discussed the fact that bus routes are getting canceled, and the lack of drivers is a big issue. Westford has had some cancelations of bus routes for lack of riders.

PLANNING COMMISSION ALTERNATE

The board wanted to discuss what they thought the alternate position for the Planning Commission (PC) should look like. The selectboard had made a PC alternate member appointment because it promoted volunteerism, and we do not want to discourage that. Ron Rodjenski had said that the alternate should get looped into all PC agendas, attend meetings etc. so that they are up to speed on everything, but cannot vote. The next time there is a term

vacancy they would slide into the open spot and the position of alternative would open to a pool of applicants. The PC had sent a lengthy email disagreeing with that interpretation.

Ron has weighed in on this and Deb thinks we need to review everything Ron said before any further decisions are made. They also should ask the PC their opinion on this. Ron had suggested not calling it an alternate but calling it an "ex-officio" member. Meanwhile we have a person who we selected as an Alternate that does not know what that means and they may not want the position anymore. Bill understands that frustration.

Pat commented that based on Ron's interpretation and what was just said it would be an ex-officio position. Pat agrees with Deb that the PC should be asked if this can serve them well. Bill thought the PC had already made it clear in their email what they want, which is to not have an alternative. Deb thought we should hear from Ian Gehlbach who was the only PC member present.

Ian Gehlbach thought there was confusion around the intent of the position. The PC generally does not have a lot of turnover. What is an alternate going to do and are they going to sit through meetings for years without voting? Ian agrees its helpful to have a stream of candidates. As a citizen you can go to every PC meeting and would not be able to participate so the alternate position would not be different than being a citizen. If it is purely a pipeline it seems a bit unnecessary in his opinion. Bill thinks the intent is that they do participate, but they would not be able to vote.

Wendy noted the last email Ron sent was clear. She needs more time to absorb it and agreed with Deb. She wants to sit down with the PC and see if it's workable. Pat asked what would have happened if they only had one candidate? Would they have wanted to have an alternate? Bill would encourage it. Paul Birnholz has applied for a PC position and not gotten on three times now. Bill does not feel he needs to talk to the PC about this and would skip any meeting with them. Pat thinks we have to respect that we have offered a candidate a position that is, whatever we call it. Wendy said they should figure out legally if they can do this and she is still getting caught up on that.

Holly noted Ron strongly suggests writing a policy for this, and she agrees, because the DRB has a rules of procedure document that goes over how an alternative is treated so there is not a question of what an alternate does. We have never had a person appointed this way to the PC, so we do not have any precedent to go by. She feels this might be one reason why it was hard for the PC as they had no procedure to follow. It seems for the PC this was sprung upon them without any understanding of how to handle it. Ian agreed.

Bill asked Ian if he felt it was hard to get caught up to speed when he joined the PC? Ian thinks it takes time to adapt to the team itself, but that takes time in any organization. If he could go back, he would have gone to more meetings first. It is a great group of people that are willing to walk new members through history and how things go. He is conflicted on an alternate. He understands the need to have a pipeline, but he wouldn't want to sit there meeting after meeting without voting. With the DRB they have people in front of them and things need to be done immediately. Nothing the PC does needs immediacy and if there is no quorum things can be done in the next meeting. Deb reiterated that volunteerism is difficult right now, she agreed with Holly that a policy needs to be in place. Deb offered to work with Holly and Ron on a policy. Bill's intention is they can participate in meetings, but they cannot vote. If an unanticipated vacancy happens, they would slide into that. If a current PC commissioner wants to run again, that alternate does not slide in, but would be part of a potential pool of applicants.

Barb Peck was present. She asked who wants to take a position without a definition of what the position is? She was also in favor of PC term limits.

Holly asked if the board should seek opinion from the PC? Bill did not think so, Pat was in favor of getting input once they get a policy/procedure plan in place. The board discussed a timeline to get feedback from the PC. Ian thought it depends on the description. If it is sooner, then they can coordinate a special meeting or add it to the next meeting agenda.

TOWN OFFICE FRONT PORCH & RAMP REPAIRS

The ramp and front porch of the town office needs serious repairs. The ramp was due for replacement in 2028, but Holly felt this needed to be moved up. The staff believe it should be fully replaced. The boards and railings are all in bad shape. Casey would also want to see quotes for concrete since pressure treated wood is very expensive right now.

Bill asked who gets to tackle the project? We would have to put an RFP together. Casey also thought we would need engineer drawings and something for ADA compliance. Bree Drapa was present. The handicap ramp was somewhat recently replaced at the library and all they had asked was the contractor to build an ADA accessible ramp. She thinks getting a reliable contractor would negate any engineering plans. They used treks decking because the salt on VT Route 128 eats away at the wood. Their contractor is no longer operating in the state of Vermont and had used the road crew when they were at a fuller capacity to do some of the work. She would be happy to talk with Holly about it.

NBRC RESPONSE

NBRC told us that we would have to de-obligate the money and come back to them when they have a clear project to work on. Bill motioned to authorize Holly to contact NBRC and de-obligate the town for the funds. Pat further explained that NBRC really wants us to apply again with a new proposal. Bill made a motion to authorize Holly to get a hold of NBRC, thank them for their patience, that we look forward to working them in the future, and to de-obligate the funds. Pats seconded. Motion passed 5-0.

COVERED BRIDGE REPAIR UPDATE

Holly submitted the application for funds to repair the covered bridge. The maximum amount of funding is \$20,000 and the estimate from Vermont Heavy Timber has gone up from last year. Bill stated that it is important, and we cannot afford to let it slip away. There are several people that have volunteered a lot of their time to maintaining the bridge.

COUNTY FORESTER MEETING

The new county forester, Brandon Benedict, has not seen Maple Shade. Pat wanted to ask the Conservation Commission to engage with Brandon, set up a site visit, and see what other opportunities might be available to us in the town forest. Bill liked Pat's idea and thinks it is valuable for people to see forest management in action. Not only was the logging able to provide revenue for the town last time, but we were able to employ a local person for that job. Pat volunteered to connect with the Conservation Commission. Maple Shade also abuts his property. He was happy with what had occurred there.

KICKBACK CONVO

Bill had talked to Josh Smith from Kickback Brewery. It went well, but if the sign is moved back the telephone pole will be in the sight line. Josh also wanted to dig across the ROW and bury the electric lines so he could remove the pole that was in the way. Bill thought we had a form for that. The fix will take time due to its complexity.

MYERS

The board had been asked if Joe from Myers had reached out to Andre and Becky Roy regarding their recycling concern. Bill called Joe and will follow up.

BRELLA APPLICATION FOR 1705 UPDATE

Holly submitted the application to enroll in the BRELLA holder for 1705 which is one of the stipulations in the Purchase & Sales Agreement. It is also required for the brownfield cleanup. She is in contact with Kim Cauldwell from the State. She does not have an exact timeframe for approval but knows it can take some time. Kim told us that to qualify for certain federal funding a Phase 1 ESA must be done within 6 months of purchase. We did Phase 1 and Phase 2 in 2019, but for BRELLA a Phase 1 needs to be updated. Holly contacted LE Environmental to do the Phase 1 update. They would charge \$1700 if they do not have to do any title searches. If they had to do a title search the cost would be approximately \$1900. Holly's understanding is the funders only require a Phase 1, but we should update the Phase 2 at some point.

Pat noted our lawyer had flagged this for us earlier, so this is expected. Bill's vote was yes to do this as it is required if the board wants to move forward with the property. He asked Greg for ideas where to find the funds. Bill thought to pull from town septic funds. Pat does not think that is a stretch because it is part of the project to find wastewater capacity for the town office and library. Holly thought it fit within the spirit of the item in the capital budget. Bill motioned to approve. Deb seconded. Motion passed 5-0.

Holly had asked Kim about the outfall of the stormwater drainage system and about the septic design Tudhope put together. Kim had no concerns about the location of the septic, but the proposed well needs to be relocated. She had no concerns about the stormwater, but when we replace that culvert the piping goes under 1705. It would be prudent to do the stormwater remediation at the same time as the brownfield remediation. Holly had talked to Tudhope about this, and he said he would do his best to amend the wastewater permit application to remove the well proposal. Pat cautioned against this, what if things fall through and things need changed? It is something to remove a well that is permitted, but what if we cannot add one? Allison from the state wastewater group had alerted Tudhope the well was within the hazardous waste site and told Tudhope it could not be there. The hazardous waste site was not disclosed on the wastewater permit as Tudhope did not know it was there. Pat commented that the Wastewater Alternative Committee (WAC) met this week. Lori Johnson had found that the gallons per minute of the existing library & office well is 15 GPM.

PUBLIC INFORMATION REVIEW & NOTICE OF SPECIAL TOWN MEETING

Wendy, Holly, and Maria had produced a communication to answer questions residents have about the 1705 project. Bill thought they did a great job, but thought the town getting to control the destiny of the parcel was not sufficiently communicated. The communication should go out ASAP and be done multiple times before the October 22 special town meeting. Holly planned to make multiple posts across the span of next week. Pat had received questions, such as "how did we get here?" and "why now?." We do not have an answer on the communication about that. He thinks we should communicate that the board made a purchase offer earlier this year but the reason the information is only available now is because the offer was accepted very recently. The first offer had been refused and there were general negotiations over the course of time. Bill thinks the "why now" is the Pigeon Trust was getting frustrated with the process and how long they have been going through it etc. If the town did not do something it was going to be sold to somebody else. Carol Winfield was present. She thinks putting out a little bit of information before announcing the meetings might have been more helpful.

CORRESPONDENCE

Most of the correspondences had been responded to as they pertained to 1705. Bill felt the rest would be addressed by the Selectboard's outgoing communications on the project. Holly thinks three residents have sent emails requesting answers to more specific 1705 items.

Andre Roy had some concerns about them scheduling the Oct. 22 vote the same night as a School Board meeting.

Kelsey Cross resigned from the Rec Committee. Bill accepted her resignation and thanked her for her time served. Deb seconded. Motion passed 5-0.

COMMUNICATION

Holly will begin putting out the Communication about 1705.

EXECUTIVE SESSION

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

At 9:50 p.m. Bill motioned to enter executive session for evaluation of a public official and property acquisition and invited Holly Delisle to attend. Pat seconded. Motion passed 5-0.

ADJOURN

The meeting adjourned at 10:20 p.m.

Respectfully Submitted,

Bill Cleary, Chair
Selectboard

Callie Hamdy
Minute Clerk

Lee McClenny
Ed Chase
Lori Johnson
Kim Guidry
Carol Winfield
Lani Plonski
Dennis O'Donnell
Irene Wrenner
Sheila Franz
Barb Peck
Harmony Cism
Diane Siegriest
Max Tyler
Rogerswsc (zoom name)

GUEST LIST

Becky Roy
Martha Heath
Andre Roy
John Doane
Dan Strobridge
Julia Andrews
Ian Gehlbach
Mark Drapa
Paul Birnholz
Bree Drapa
Kim Phinney
Vicky Ross
Andre Roy

Ron Perry
Tom Lane
Joan Farmer
Jen
Ben Bornstein
Dave Gauthier
Pat Hechmer
Matthew McIntosh
Stacia McIntosh
Sharon Von Bruns
Maria Barden
Sue Roediger
Beck Roy

**WESTFORD SELECTBOARD MEETING
PUBLIC HEARING: PETITIONED-FOR CHARTER PROPOSAL
WESTFORD ELEMENTARY SCHOOL & ZOOM
SEPTEMBER 26, 2024 6:15 P.M.**

Please write your name clearly.

This log is for roll call purposes.

1. Hamiltonski

2. Dennis O'Neil

3. Sean Cushing

4. Edward Chase

5. David Lanthier

6. Lori Johnson

7. Kim Guidry

8. Carol Winfield

9. Tom Perry

10. Therese G. G...

11. Becky Roy

12. Martha Heath

13. Cheryl...

14. John...

15. Rebecca DeVanon

16. Tom & Susan

17. Julia Andrews

18. Ian Gehlbach

19. Ron Perry

20. _____

ADOPTED THIS 10 TH DAY OF OCTOBER 2024.

WESTFORD SELECTBOARD



William Cleary, Chair



Patrick Haller



Casey Mathieu

Deb Sawyer Jorschick



Wendy Doane