

**SELECTBOARD MEETING
MARCH 12, 2026
Draft Minutes**

Present: Pat Haller
Casey Mathieu
Julia Andrews
Nick Nichols
Deb Jorschick

Callie Hamdy
Tommy O'Connor

Guests: see attached.

The meeting was called to order at 6:17 p.m. The meeting was held in person and via Zoom.

CHANGES TO THE AGENDA

Added Executive Session. **J. Andrews** Motioned. **D. Jorschick** Seconded. Motion passed 4-0.

SELECTBOARD REORGANIZATION

Selectboard Welcome & Points of Order

Casey Mathieu and Deb Jorschick had been reelected to the Selectboard at the March 3, 2026 Town Meeting and there were no changes to the makeup of the Selectboard.

Election of Officers

C. Mathieu nominated Pat Haller to be chair. **D. Jorschick** motioned to accept the nomination. **N. Nichols** seconded. Motion passed 4-0.

D. Jorschick motioned to elect Julia Andrews as Vice-Chair. **C. Mathieu** seconded. Motion passed 4-0.

PUBLIC COMMENT

There was no public comment.

MINUTES

C. Mathieu moved to approve the February 26, 2026 minutes as amended. **D. Jorschick** seconded. Motion passed 4-0.

CCRPC UPDATE

Ben Bornstein, CCRPC Representative, was present. Prior to the last Selectboard meeting there had been discussion both by the Selectboard and Planning Commission (PC) about the three options for Tier 1B. Another municipality had made a partial adoption. Ben had inquired about what the root of that was and a lot of it was a desire to create a greater transparency and inclusion when it comes to indigenous people and minority people when it comes to development around the state. Ben had assured CCRPC staff that there was no history of such in Westford and we had recently adopted an inclusion statement. He communicated that Westford is concerned the guidance for Act 181 and Tier 1B is to give more authority and control to localities/municipalities themselves. He feels we are a text book case and why rush.

We want to do it right and ensure we are inclusive. He thinks we should put it back on LURB and have them explain exactly what they want because right now it is a bit too general.

REORGANIZATION

Set Meeting Schedule

The board currently meets every 2nd and 4th Thursday of the Month at 6:15pm. There was no desire to change that from the board members. Deb motioned. Julia seconded. Motion passed 5-0.

Set Meeting Agenda Format/Year at-a-glance.

There was a suggested agenda format change by one of the board members. It combined the treasurer's reports into one report and some changes in how discussion was organized. The board agreed to combine the treasurer's reports into one section. The board discussed changing how they implemented public comment, suggesting that they have one public comment section at the beginning for items not on the agenda and another public comment section after all discussion items for items on the agenda. **T. O'Connor** clarified that in the rules of procedure, the board can put public comment where they wish and there is also language in there with an option to limit length of time. If there are items on the agenda it is up to the chair to open the floor to public comments on that item or to leave public comment until the end.

Barb Peck commented that when the public has to wait she feels all context is lost. The last Selectboard allowed the public to talk after every agenda item. She felt they could always limit how long the public speaks.

The board discussed the addition of an administrator's report. **D. Jorschick** was highly in favor of this item as it allowed the board to keep track of the things they ask Tommy to do on their behalf. **J. Andrews** asked if we should put something similar on the treasurer's report as well. **T. O'Connor** thought any action item specific to the treasurer's report could be added with the treasurer's report, he wanted to talk finances all in one shot.

Designate Three Public Posting Places

The town currently posts agenda items at the town office, library, and post office. The board felt this was still reasonable.

Designate Official Newspaper

The town currently posts agendas in the Essex Reporter. We also utilize SevenDays for posting larger items like RFPs. **C. Mathieu** asked if it has to be a physical newspaper. **T. O'Connor** clarified the statute says newspaper but does not designate media style. Pat asked that whichever we choose, that the board ask Tommy what we might be able to do to assist Westford Provisions with carrying the newspaper. The Library also carries both.

J. Andrews moved to make the Essex Reporter the official newspaper of record. **D. Jorschick** seconded. Motion passed 5-0.

Harmony Cism was present. She clarified if the legal notices now get posted to the Essex Reporter instead to SevenDays? Those are usually put there because of the larger reach. **D.**

Jorschick motioned to designate SevenDays to be an official newspaper for municipal business including RFPs hiring notices, legal notices, etc. **J. Andrews** seconded. Motion passed 5-0.

Review Selectboard Rules Procedure

T. O'Connor noted that currently the rules of procedures have the meetings starting at 6:00 p.m., which was inaccurate, so he had preemptively changed it to 6:15 p.m.

P. Haller noted that there might be other parts of the rules of procedure other than the public comment/participation previously discussed. He asked the board for any comments on other aspects of the Rules of Procedure. **J. Andrews** suggested that traditionally, when somebody comes and addresses the board, they address the board through the chair, they do not name names, they do not make personal pleas to individuals on the board. She feels in some instances we have gotten away from that tradition, and she wanted to be more aligned with that. **D. Jorschick** agreed. **J. Andrews** noted this is a procedure to keep things from becoming personal when things get passionate and she thinks it is a good practice.

P. Haller thinks at the heart of what the board is going to discuss is public comment. He read it aloud the existing rules of procedure for Public Comment. He would like to make a change and suggested a public comment section before discussion and after, but not during discussion. He has been on the board for two years. It is very hard for the board to get through their agenda without a long back and forth between members of the public talking both to the board and to members of the public. It feels like they are not having a meeting of the Selectboard in public, they are having a meeting for the public. Meetings are to get through the town's business. It will be easier if they restructured public comment. As chair, he would like to figure out how to allow members of other boards to speak at will at subjects they are experts on during agenda items. They would not be considered public at large. If they are talking about Tier 1B for example, somebody from the PC could be called upon during that section even though they are not a member of the Selectboard. He asked the other board members opinions.

J. Andrews agreed with Pat. She noted the agenda for tonight, which does not consider a long back and forth between the board and the public, is three and a half hours. She thinks there is a point where the human brain is no longer at its peak performance. These meetings are arduous. Sometimes they will go around a few times and hear comments that reflect one another in a repetitive way. She appreciates that people want to share, but once it has happened a few times it makes it really difficult to get the work done that needs to get done. **C. Mathieu** was also in favor. When we get into a contentious topic we know there will be feedback. Could the board build into a public comment to that discussion item? **J. Andrews** noted that it is up to the board to make an agenda any way they choose. **T. O'Connor** noted that if we know we are going to have a speaker that creates longer time frames they can build that in to the agenda. Reviewing the agenda by the chair before it goes public is very important to this aspect. How correspondences are done could also be improved in his opinion.

N. Nichols felt this was a big change to what we have done previously and was in favor of making the change more gradual. He wonders if there is some middle ground the board could consider for a timeframe. There should be a way to allow limited one time comments from

folks while allowing the board to do its business. He wondered about a compromise where for each agenda item they had a public comment where the public can speak once for two minutes. **P. Haller** and **C. Mathieu** expressed they thought this was a reasonable compromise.

Lori Johnson was present. She read VLCT's model rules of procedures for public bodies aloud. To her, limiting public comment is squashing public interaction. She felt the board was trying to exclude the public.

B. Peck felt if the public cannot speak after an agenda item then the board can make a motion and vote. If that occurs and public comment is at the end how can they speak on things before they are voted on? She did not hear complaints previously so does not know why there has to be a change.

P. Haller heard both Lori and Barb's comments and agrees that we want to have good public engagement, he liked Nick's recommendation. The change might be that we be more strict and actually follow the public participation rules more than we may have in the past. He does think we should still allow for public comments at the end of the meeting because if we are going to have an initial period of public comment and then makes a motion and a public participant wants to react to that it might be appropriate at the end of the meeting for the reaction to come. **J. Andrews** think that public discussion on discussion items should be after because the board discussion is what will drive people's comments and to put some of the guard rails in place as we currently spend an hour or more on some topics. We should remember that the public can only speak once for two minutes on each topic and cut it off there. If it is not successful we can adjust things.

Vicky Ross was present. She liked the direction the board was going with public comment. She thinks we should adjust the rules of procedure to reflect this change.

L. Johnson noted that the public comment after discussion should be separated with the public comment for items not on the agenda. The board agreed and thanked Lori.

J. Andrews moved that the board have Tommy make the discussed changes to F2 on the Rules of Procedure document. **D. Jorschick** seconded. Motion passed 5-0.

Re-Adopt Conflict of Interest Policy

This is an annual item. **P. Haller** stated that part of the policy he is most interested in discussing is that now that the board is five members it would hold a lot of weight if the someone were not recusing themselves, but the five-member board thought they should. He thinks if this occurs he feels this should be a removal from office, but how does this work statutorily. **J. Andrews** moved to adopt the Conflict of Interest policy. **C. Mathieu** seconded. Motion passed 5-0.

Review Municipal Ethics Policy & Training Review

This is along the same lines as the Conflict of Interest Policy. **P. Haller** asked if this code of ethics applies to the PC and other boards? **T. O'Connor** noted it was a state statute; this is more than the Selectboard, but they are the overseeing officers for the municipality. **P. Haller**

asked if this addresses the fact that Maria is the Ethics Liaison? She is more like a point of contact for the individuals that have the required ethics training.

Open Meeting Law Policy & Training Review

VLCT notes that board members should always review Open Meeting Law and there are available trainings. **N. Nichols** asked Tommy to clarify the differences in posting requirement timelines for agendas. Tommy did so.

Tier 1 B Discussion

Pat Haller, Selectboard Chair, asked **Julia Andrews**, Vice Chair, to chair this section as for this discussion he wanted to recuse himself.

This is continued discussion from a previous meeting because the board had not had sufficient numbers to come to a majority vote. **J. Andrews** asked **Max Tyler**, Planning Commission Chair, to give a summary of what the PC had done regarding the Tier 1B question. The PC has recommended that Westford opt in to all eligible areas to Tier 1B. This was based on CCRPC and Land Use Review Board (LURB) feedback and the PC's understanding that they did not think defending the limited option was defined enough that they could make a good argument. Max thinks Ben has since convinced him that a partially in is viable, but it means we will be indeterminate until the debate between us and LURB is settled. Max believes opting in fully is the correct decision, although there are other options. There is some sentiment that opting out is a reasonable course of action. He agrees that LURB and Act 181 is a wild card within the state but continues to believe there is not much of a downside to opting in and there may be benefit because regardless if we like Act 181 it is the law of the land. There is no guarantee we can opt in later. What has been stated to him is that if the town wants to designate other areas it needs to be in the town plan before 2028 and that is why some feel urgency to move up the town plan rewrite prior to its 2029 expiration.

J. Andrews asked for clarification. There are three options: opt in with limited slope (current designation), opt in with broadened area, and not opt in at all. Was that correct? That was correct, but **M. Tyler** does not think we have the ability to defend the limited area. He asked if we wanted to encourage more municipal control in the village area or wait and see how this plays out and let the current regulations, such as Act 250 control development. He feels that Tier 1B allows a relaxing of state regulations, but not a relaxing of local regulations and zoning control. If we opted in with a smaller area than is eligible we would have to defend it.

N. Nichols appreciates Ben Bornstein's work on this. It feels like Ben is saying we could defend the decision from a couple months ago. That is what he had hoped for, to defend the limited Tier 1B selection. **C. Mathieu** noted it was a deadlock last time. He thinks the board knows which way they want to go and agreed with Nick. **B. Peck** was not sure we could defend the current area, but thought it was a better compromise than opting in entirely or opting out.

Carol Winfield was present and thought sticking with the current area was a good decision but did not think we should be required to defend it. **M. Tyler** has heard a lot of people say what is the harm of waiting, but he wanted to ask what is the harm of opting in? For him, all state regulations still apply, but local zoning would determine what would happen in the Tier

1B area rather than Act 250 permitting. What are we so worried about regarding opting in? He is not a big fan of Act 181, but on the other hand he is trying to understand why we are worried about reducing state regulation in an area we have already designated in the Town Plan as the town center.

Pat Haller was present speaking as a member of the public. He agreed with Max. He was a property owner in the proposed area. If he wanted to develop to the level local zoning requires and meets all those requirements, Act 250 makes an additional cost for anybody in the designated area, so it seems the purpose of not opting out is an order to essentially make our zoning more restrictive because of the interests of people who do not want more development in the town center. He thinks it is inherently unfair for us to say this is what you are allowed to build but it will cost you more because we are opting out. He had talked to a neighbor of his on the town common area. We do not have a ten unit wastewater ability in the town common area; it does not exist so most development is impossible because we do not have a wastewater system. That neighbor had told him if they wanted to have a local Westford builder build three units on his property but in the past ten years he's already built five, it would cost a prohibitive amount of money as they would be subjected to Act 250. If in the next few years, the school closes and we all think senior or affordable housing could be put there that area is within the Tier 1B exemption, so if we are opting out, they would also have to enter into Act 250 at the school property if it were to be used for this purpose. He cannot imagine why, except to make it more expensive, we would not opt out of Act 250 for the area.

L. Johnson said she is not opposed to development but thought there should be a robust discussion. She pushed for allowing the community as a whole to make the decision where they want development. In the current town plan, it indicates that the town center is our area for development. Lori wants to see changes and opportunities for other areas to be developed and feels this is more fair.

M. Tyler was asked to close out discussion. He thinks if we opt out it is saying we do not have faith in our DRB and our Zoning Administrator. His understanding is that the CCRPC would not be asking us this question unless we qualify. As the state moves on the demands on our town are going to increase. We have a DRB, a PC, a Zoning Admin, and zoning Policy. Where do we fall short? He fails to understand.

C. Mathieu moved to defend the original Tier 1B submission. **N. Nichols** seconded. Motion passed 4-0. 1 Recusal. **H. Cism** asked if we are going to defend the current area are we submitting Ben's letter? What are we submitting to CCRPC and the land use review board? **J. Andrews** wanted more time to review Ben's letter before submitting it but knows we are on a timeline. **P. Haller** thought a good approach to answer Harmony's question is that we know now what the board wants to do, which is to respond with the original designation application. He suggested asking Ben Bornstein and the PC to work on a response however the PC decides should be done and have the PC have the response brought to the SB by the next meeting.

ROAD SCHEDULE

S. Cushing, Road Foreman, was not present. **P. Haller** went over the Road Schedule from February 27, 2026 to March 12, 2026.

D. Jorschick brought notice to the paving job on VT Route 128 that was done last summer. It is already starting to crack on the middle seam and around culverts. It did not hold up for the duration and did not even make it through one winter.

REVIEW FY'26 HIGHWAY BUDGET STATUS REPORT

G. Barrows, Treasurer, was not present. Tommy went over the FY'26 Highway Budget Status Report.

REVIEW FY'26 GENERAL FUND BUDGET STATUS REPORT

G. Barrows, Treasurer, was not present. Tommy went over the FY'26 General Fund Budget Status Report.

REVIEW & APPROVE ACCOUNTS PAYABLE & PAYROLL WARRANTS

The Selectboard reviewed and approved the accounts payable and payroll warrants.

CORRESPONDENCE

Email about status of Trail Ordinance, Tunbridge decision. Pat had replied. He is hoping to review this more at the next meeting.

Email about status of Town Moderator from the Town Clerk regarding not having a moderator and what next steps can be taken.

J. Andrews noted Barb Peck had sent each board member individual correspondence about Act 181. **P. Haller** noted he would prefer if residents used email correspondences when possible.

COMMUNICATION

Reminder about deadline for applying for volunteer positions, March 15th.

EWSD will be joining next meeting to go over a new article on EWSD ballot.

Speed Feedback signs have been ordered and are being delivered at no cost to us.

EXECUTIVE SESSION

P. Haller moved that premature general public knowledge would place the body or person at disadvantage. **J. Andrews** seconded. Motion passed 5-0. **P. Haller** motioned to enter executive session and invite Tommy for legal reasons at 8:30 p.m. **C. Mathieu** seconded. Motion passed 5-0.

P. Haller motioned to have Tommy continue on with the Town Attorney about next steps as it pertains to the open court case. **J. Andrews** seconded the motion. The motion passed unanimously **5-0**

ADJOURN

C. Mathieu made a motion to adjourn the meeting, **P. Haller** seconded the motion. The motion passed unanimously **5-0**

The meeting adjourned at 9:22 p.m.

Respectfully Submitted,
Pat Haller
Selectboard Chair

Callie Hamdy
Minute Clerk

GUEST LIST

Dave Gauthier
Lynn Gauthier
Dick Lavallee
Dave Lavallee
Harmony Cism
Barb Peck
Carol Winfield
Max Tyler
Lori Johnson
Michael G
Kim Guidry
Ira Allen
Ben Bornstein
Vicky Ross