

SELECTBOARD MEETING
August 27, 2026
Draft Minutes

Present: Pat Haller
Deb Jorschick
Casey Mathieu
Nick Nichols

Callie Hamdy
Tommy O'Connor

Guests: see attached.

The meeting was called to order at 6:24 p.m. The meeting was held in person and via Zoom.

CHANGES TO THE AGENDA

There were no changes to the agenda.

PUBLIC COMMENT – Items Not on the Agenda

There was no public comment.

MINUTES

D. Jorschick motioned to table the minutes from August 13, 2026 minutes until the next meeting. N. Nichols seconded. Motion passed 4-0.

UPDATE ON COVERED BRIDGE

Miles from Vermont Heavy Timber Company has been working on the Covered Bridge. There is going to be one more additional payment but recently change of order was sent due to more rot being found than anticipated. The change would be an additional \$11,500 due to materials and they have to jack up the bridge, which is a complex part of the repair. Preservation Trust provided us with a list of resources we could utilize to assist for those costs. Miles had indicated they are on the hunt for another white oak bolster beam. T. O'Connor had asked for clarification on which part of the bridge this was for, but it was assumed this was for the section where the new rot was found. The board tabled this until Miles was present.

CCRPC UPDATE

Ben Bornstein, CCRPC Representative, was present. Ann Nelson Stoner from 1705 was referred to the 1705 project. Kirsten Tyler and Ben, who are the leads for Westford from the Planning Commission (PC), interacted and worked with them. They've come up with a scope statement of where they are on this point. We are waiting for them to provide contracts. Secondly on October 29th there will be a virtual training from Chittenden County Regional Housing for the Municipal Housing Committee. It is a presentation from VLCT about CHIP on the 802 Homes Initiative. B. Bornstein had been added to the Long-Range Planning Sub Committee. MERP, he submitted the annual report, and it was accepted. They've received an extension to go forward.

ROAD SCHEDULE

Sean Cushing, Road Foreman, was not present. P. Haller went over the road schedule from August 14, 2026 to August 27, 2026.

FY'27 HIGHWAY BUDGET STATUS REPORT

T. O'Connor went over the FY'27 Highway Budget Status Report.

TREASURER FY'27 GENERAL FUND BUDGET STATUS REPORT

T. O'Connor went over the FY'27 General Fund Budget Status Report.

REVIEW AND APPROVE ACCOUNTS PAYABLE AND PAYROLL WARRANTS

The Selectboard went over the Accounts Payable and Payroll Warrants.

ERRORS & OMISSIONS REPORT

This was an annual item from the assessor's office. There were no changes to the grand list, and it needed to be signed by the Selectboard. C. Mathieu motion to accept. D. Jorschick seconded. Motion passed 4-0.

SECURITY CONCERN FOR TOWN OFFICE

The Town Clerk's office had informed the Selectboard that when another town board was having a meeting downstairs on a previous night, the office staff returned the following day and there was a significant mess. Somebody had gotten into personal snacks, left food on the research table, and messed with signage the town clerk had out. It was likely unattended children upstairs. The Selectboard discussed solutions for this. P. Haller thinks if somebody needs to use the bathroom the adult can go upstairs or a child must be accompanied by an adult. He suggested a sign that could restrict children from upstairs unsupervised.

UPDATE ON UNIFIED PLANNING WORK PROGRAM(UPWP)/BUDGET

They'd received three communications. Harmony Cism, Eliana Fox (CCRPC), Sean Cushing, and T. O'Connor will be having a kickoff meeting with CCRPC about it next week. The Brookside pathway they'd added on an archaeological assessment along with the scoping study. If any construction took place, it would be necessary and it is cheaper to do it in this phase. The PC had voted to use some of their special projects funds to match. The Selectboard now needs to approve it.

P. Haller wondered how cost effective this was and would like to see the plan before they spend money on executing the plan. E. Fox explained that this would be required for any scoping study. Because there was a historic village on Brookside it is likely there might be items of significance found during a study. P. Haller was inclined to accept the additional costs and use the funding that they'd put within the budget as opposed to the PC special projects funds towards the matching. N. Nichols moved to approve the new budget for the Brookside Road path study. C. Mathieu seconded.

B. Bornstein spoke to the point of the fact there is \$30,000 in the PC Special project fund. They had a consensus that every other avenue to pursue grants to cover that would be explored. They felt the PC special project funds would be needed for 1705 outreach.

Motion passed 4-0.

P. Haller motioned to use the plan for a portion of the grant matching funds. N. Nichols seconded. Motion passed 4-0.

SELECTBOARD CALENDAR CHECK IN

The Selectboard reviewed and discussed their calendar leading up to budget season.

DRAFT MOU BETWEEN TOWN AND LIBRARY

N. Nichols had no involvement in the draft; the library trustees had worked on it. The board acknowledged receipt and will discuss further later. N. Nichols will field comments from the board and take them back to the trustees.

DRAFT LEGAL TRAILS MAINTENANCE GUIDANCE

P. Haller hoped that the board members had a chance to look at the document. It was the first time the document draft addressed some of the more wide-ranging concerns that had been brought up. The majority of the guidelines were drafted by P. Haller, Wendy Doane, and with input from Westford Conservation Commission (WCC) and residents. The purpose is to make sure from the SB's perspective that this is appreciated, and this is the direction the board and collaborators wanted to go in. He didn't want to continue to get public input without the board feeling it was on the right track first.

N. Nichols thanked everybody that had worked on this for the hard work. His main thing is he wants the WCC and the landowners to have something they both agree upon. His main questions are going to be, are there any points that are contentious or compromised between those two groups? As long as the groups can agree, however they want to do it is fine with him. P. Haller indicated section 3.1. They'd heard from the landowners they'd appreciate being told when maintenance is going to happen. They then thought the WCC would be calling landowners to forewarn them of maintenance, but Pat and Wendy agreed that it's a tall order to ask volunteers. They still wanted to give the landowners some knowledge ahead of time. Instead of calling all of them they would put it in the town newsletter, and it may be the April newsletter to say for the period of May-October the WCC is conducting routine maintenance on Thursday-Sunday. P. Haller knows that isn't specific for those landowners but the fickleness of weather and ability for volunteers to have the time the WCC had asked for this makes this a compromise. We also don't want the maintenance to happen first thing in the morning so the hours for maintenance would be 8-6pm or daylight hours, whatever is more restrictive.

Another section that was asked about was 3.1.1. There have been times when trees might have been cut and this is the landowners private property so those are essentially their trees. We want to make sure the timber is the property of the landowner. A question came up from the WCC: What do they do if there is a widow-maker outside of the ROW but it's dangerous? P. Haller thought we can't go on to somebody else's property and cut a dangerous tree even though it's our ROW, but if indeed the trail is dangerous the WCC would let the SB know or contact the landowner and they'd have to follow all legal processes to have the tree taken down but they cannot take it down as that would be trespassing. Worst case scenario landowners decide they don't want to take it down, that could be legally construed as blocking our ROW and we'd work through legal avenues to have that taken care of, while the trail is closed in the meantime. Kirsten Tyler from the WCC was present and clarified she did not

mean a tree outside of the ROW, but what do they do about the timber that is posing an imminent danger? They are assuming they can cut the tree posing a danger and call the owner about what they want done about the timber later. What P. Haller thinks is if the landowner has chosen to perform the maintenance, then the WCC would contact the landowner. If it's not the landowner taking care of the maintenance, then the maintenance occurs on WCC maintenance days/hours. The maintenance should not occur outside of those days so a trail might have to be temporarily closed before maintenance can be done.

In 3.2 P. Haller is trying to figure out how we can have landowners who want to do maintenance on their own property how do we manage that? The intention is to allow the landowner to register with the town and pledge responsibility to take care of the trail maintenance. It's a year agreement and the next year it will go up to five years. At year 5 we'd go back to them and see if they're still agreeing. D. Jorschick asked if that's something the landowners want. We don't know yet, but T. O'Conner indicated it's a state statute mandate. After the Tunbridge case, the town legally owns the legal trails. General maintenance can't always be done unless given the authority because the legal trail is the town's ownership. Pat asked if he's suggesting the town has to approve the entity that is volunteering to do maintenance. That was correct and if there is a tree off the ROW and encroaching there is no standing by the town to do anything.

Kati Anderson was present. She wants to be super clear that the town does not own the land, it is just a ROW. The landowner also has the right to do maintenance. They do not need permission to do maintenance on their own property. She generally really appreciates and thanked P. Haller especially for his work but disagrees with T. O'Conner. The only other thing looking at all this is that, in the dog ordinance there is some discussion that the owner has to maintain control over their dog much as they would on any other town ROW such as a road. She said it was not possible for her and Jim to maintain voice control over their dog at all times so they disagreed with that language as they cannot control their dog.

Joel Fay was present. He constantly hears about the people that are going to go out and maintain the trails, but his question is: to what standards? The WCC haven't been able to go out on the trails for over a year. Can children walk the trails? What are the conditions? What condition will they be maintained to? What minimum standards will be achieved? P. Haller explained they are asking the trails to be maintained for walking conditions. Joel explained you could make a two-and-a-half-foot wide path that achieves that, but the overgrown brush will put people at risk of ticks. There has to be some kind of a standard that allows for this to be a reasonable place for recreation with children side by side. He doesn't know if that's happening. There's a concern about bicyclists using the trails and making them bike trails instead of walkable trails. If a bridge were to be erected, it would be done so to manage the weight of a person. Joel did not want there to be a discrepancy between what a landowner sees as acceptable and what the public feel is safe.

Barb Peck was present. If the trails we're talking about are legal Vermont trails, then even though the landowner owns the physical ground the trail is on, if it's a legal trail that ROW runs with the land which means its permanent and it doesn't matter who owns each side of the trail. That legislation that passed recently in Tunbridge affirms that the town has the right to maintain the trail and it's not true a landowner can do anything to block that trail or to

somehow revoke access or restrict public use of that trail. It all depends on whether that easement or ROW runs with the land. That isn't something she's heard spoken about. P. Haller explained that they've established these are Legal Trails. He wanted the agreement to be discussed versus who has legal standing. The agreement's purpose is to prevent this kind of back and forth and so that the WCC is the group making the decisions and thus not the group faced with angry residents. It's for the SB to take ownership of it and provide these guidelines and be responsible for them.

Ben Bornstein was present. In a correspondence this week somebody wrote 'there needs to be a clear understanding that public access and property rights must coexist within the actual scope within each ROW not an expectation that landowners will need to accommodate new uses or interpretations.' He feels that he hit the mark regarding Goodrich Trail and referenced his court cases. They cannot restrict him at night on that trail or whenever. No other trail has these cases, and he knows the town has been diligent in drawing and recognizing the distinctions. He knows it may seem like he's putting too fine point on it, but they have a history of over 65 years of ensuring they have access. He thinks that to describe it that the trail was closed for hunting or to the public so that landowners could hunt was not fair or accurate. He wanted to point out that based on the timing of when they want to allow maintenance. For his LLC he will personally take responsibility to maintain the section of Goodrich that goes through it. Nobody else is in his circumstance and it makes it unique. His court order indicates the trail runs with the land. He also mentioned the timing of if the WCC wanting to go onto the land or do work on the trail based on their determination or otherwise. He doesn't work on the sabbath as a matter of religious conviction. He feels that putting a work crew on Saturdays would impose on his First Amendment rights and asked that the trail not be worked on during that time.

P. Haller expressed his frustration. The board is trying to look at the trail maintenance guidelines, and the discussion keeps turning to hunting. N. Nichols thought they were doing okay and this is the first chance for people to provide input. He felt they could circle back; this is a good first step. It's the SB's job to make the final decision. D. Jorschick thought it was good to hear input; she appreciates Ben's perspective, especially because of what he's gone through and hearing the other landowners speak. She feels this is a fluid piece of documentation and asks again for more input. J. Fay thinks that speaking for himself and the WCC, they're looking for guidance on what they can or can't do and give them the tools to do their job so they can make things better for the people of Westford that want to use the trails. He feels the SB is between a rock and a hard place keeping everybody happy. P. Haller stressed this is intended to be an agreement focused on the maintenance of the trails, everything else is something they need to talk about but is not the focus of this particular document.

COMMUNICATION PLAN FOR FIRE TRUCK BOND RE-VOTE

T. O'Conner and J. Andrews had discussed previously. The two most important points are this is the SB's outline of how they're going to work through it. This is not a new vote, this is redoing and correcting a previous vote that had not been properly warned. They understand it will cause some confusion. There are many avenues they will use to get the information out to residents. The other part of all this is per the conversation with the attorney they are going to have an actual public meeting where this is the primary topic.

CORRESPONDENCE

Pat had reached out to Carl Rogers. Update from Kirstin that Dennis Bianco was going to begin treatment of the two knotweed sites. VLCT legal advice regarding Trails, Jamie Hazen thanking Sb for their work on the trails maintenance agreement. Message from Jim Anderson regarding the trails. 1705 UPWP maps.

COMMUNICATION

There was no outgoing communication.

EXECUTIVE SESSION

Pat moved premature public knowledge regarding personnel would place the town at a significant disadvantage and to enter executive session. Deb seconded. Motion passed 4-0. at 8:24pm.

The Selectboard exited Executive session at 9:15PM

Pat Haller described that we need to repair the bridge and a rotted member that was not seen before still needs to be addressed. Deb Jorshick asked about the funding of the change order. Nick reminded the Board that we did put a down payment down at around 50%. The Preservation Trust of Vermont committed another 50% for the total cost so the FY27 budget item of \$12,000 is likely uncommitted.

Pat Haller motioned to approve the change order of \$11,500 to replace the rotted bolster beam as proposed by Vermont Heavy Timber. Casey M seconded. Motion passed 4-0.

The SB will ask Tommy O'Conner for a detailed account of all funds used to-date and confirm the commitment of the Preservation Trust of Vermont, in order to clear up the potential use of the FY27 \$12,000 budgeted amount for the Covered Bridge.

ADJOURN

The meeting adjourned at 9:20PM

Respectfully Submitted,
Pat Haller
Selectboard Chair

Callie Hamdy
Minute Clerk

GUEST LIST

Harmony Cism
Ben Bornstein
Joel Fay
Kim Guidry
Ira Allen
Michael Miller
Kirsten Tyler
Elias Rosenblatt

Kati Anderson
Dave Lavallee
Dick Lavallee
Eliana Fox CCRPC
Lori Johnson
Carol Winfield
Barb Peck
Jim Anderson

DRAFT