

**Westfield Selectboard Minutes**  
**May 20, 2019 NEW TIME 5:00 p.m. – Town Offices**

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Attendees of May 20<sup>th</sup>, 2019 Selectboard Meeting;

Present: Selectboard Members: Yves Daigle (Chair), Jacques Couture and Anne Lazor;  
Treasurer, Mary Lou Jacobs; Town Clerk, LaDonna Dunn; Assistant Town Clerk, Heather  
Johnson; Road Commissioner; Eric Kennison

Guests: Upper Missisquoi and Trout Rivers Wild and Scenic Rivers, John Little; Orleans County  
Sheriff's Department, Chief Deputy, Phil Brooks.



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1. **Call Meeting to Order:** Yves called meeting to order at 5 p.m.
2. **Public Comment – 5 Minutes:** No Comments.
3. **Additions and/or Deletions to the Agenda:** LaDonna requested adding 17 D – Bylaw Amendment Report
4. **Approve Minutes of the April 15, 2019 Selectboard Meeting:** Minutes approval will be moved to the next Agenda.
  - A. **Business from the 4/15/19 Minutes:** None

5. **Guest – John Little, Update on Upper Missisquoi and Trout Rivers Wild and Scenic Rivers Committee (15 Minutes):** John describes MRBA – Missisquoi River Basin Association – which covers the entire watershed starting in Lowell, moving into Canada, then flowing to Richford and continuing to Enosburg. John stated MRBA has been monitoring water quality since 2005. In 2004, John and another associate went to a conference to discover how a Wild and Scenic River could be identified. John requested the Park Service to review the Missisquoi for the Wild and Scenic Trail designation. In 2014, MRBA worked very hard in Congress for the Park Service to identify the Missisquoi River, as Wild and Scenic. It was designated and so a committee was formed. Jacques is the chair of the Wild and Scenic committee which collaborates with MRBA. The Wild and Scenic committee has federal funds of \$105,000/year in appropriations, which is level funded from the Federal Government. This year MRBA has a grant program to accept requests for funding to improve habitat in the Missisquoi Basin. John wanted to inform the Selectboard that there is funding available for perched culverts and to upgrade storm resiliency with these grants. Jacques stated, if towns have projects next to the River – the MRBA will be accepting some grants, they are all volunteers that participate in the association with the exception of one coordinator. There is a differentiation between MRBA and Wild and Scenic as they are two different entities. John is president of the MRBA and he attends the Wild and Scenic Meetings but does not represent the Town of Montgomery because there are two members with representation. Jacques stated that the Town of Westfield provides funding for MRBA through appropriations. Jacques stated volunteers assisted in constructing steps to the Missisquoi, on the Lane Road. Jacques said that any work completed under Wild and Scenic, they work with AOT, to obtain proper signs. It does not have to be Town Selectboard to apply for the money it can be other entities. Jacques said some of the Wild and Scenic grants are distributed through the school. John ended the conversation with thanking the Selectboard for their support.

6. **Sheriff – Chief Deputy Phil Brooks:** Yves stated Chief Deputy Brooks, the Sheriff, has joined us for the annual contract signing.

A. **Report for March and Sign Contract:** Yves stated that people have complained that the department is not here enough. Chief Deputy Brooks replied the department is in the town 22.5 hours a month on about 5 hours a week. Chief Deputy Brooks asked the board if there is something more the department can provide as a service. Chief Deputy Brooks stated the department is short one deputy. He then explained during the winter months the department dedicates 88.5 hours for patrol. During the summer the department dedicates over 130 hours to patrol, which is 3 FTEs. The tactic has been random patrols. The department could accommodate if the Town wanted a patrol car in a place at a certain time. One of the requests that neighboring Towns ask for are, Speed traps near State Highways. Chief Deputy stated, "If the issue is people are not seeing us then where would you like us to be?" Anne stated that during town meeting folks had requested the patrol vehicle to be on Route 100 between 6-7 a.m. Chief Deputy Brooks stated the department has a Click it or Ticket grant program. He also stated the department has been here from 5-5:30 just outside of Westfield – which was completed during the Highway Safety Enforcement. This time is paid through the grant which will not have hours tied to the

March report. The department has to stick to the higher traffic areas to show the numbers. It has been noted that Town and Village Centers tend to have higher numbers. This program only focuses on the Route 100 corridor – Jacques asked if someone was ticketed on Route 100 would the Town receive any funds. Chief Deputy Brooks asked if the speed zone is 35 on Route 100 because that needs to be in ordinance. He stated the department issues very few state tickets but almost every town, has local ordinances. Any speed limit on the state highway that is less than 50 can be adopted by Towns. The Town would need to fill out a request to the Judicial bureau and a portion of the State highway funds could come to the town but only if it is in the Town Ordinance. LaDonna has reviewed and it is not. Jacques is asking because the town sees very little money from fines. Chief Deputy Brooks, highly recommends revising the local ordinance. For the Sheriff's office, the local code is utilized. If the State Police stop someone in the village they are going to write it under the state speed limit ordinance and that money goes to the general fund.

**C. Portable Radar Sign for North Hill Road near Reservoir Road:** Chief Deputy Brooks stated they have a portable radar sign and they will shoot for next week to put the machine out. Yves stated a women who wants a speed radar sign near her home, she claimed that last year it worked and would like it again this year. Deputy Brooks stated it's available because of the Highway Safety Program. He has two officers that can deploy it around the county. The department can provide the data from the sign and give a report as to what the data was for the day. The department will not leave it out overnight because someone has hit it with a car in a prior incident. Yves stated the Town is in the process of buying two radar signs, one for the south side of Westfield and one for the north side of Westfield. Chief Deputy Brooks recommended that it be put near the speed limit sign. Mary Lou has been working on it for a year. Chief Deputy Brooks stated Glover had invested at least \$15,000 and it took some time. Chief Deputy Brooks said he will make it a point to let the deputies know that Westfield would like it out tomorrow. Chief Deputy Brooks will insist on the radar sign to be out between 5-5:30 a.m. Yves stated our biggest complaint is North Hill and the village flat. Chief Deputy Brooks, stated the Speed Cart does retain the data and he has seen it on the flats and will locate the data for comparison. Chief Deputy Brooks stated, it will show the selectboard from a Year or Two ago. Yves stated the report for March only showed 6 hours worked from the Department. Chief Deputy Brooks said he cannot speak to March. Yves stated it is supposed to be 22.5 hours – and asked why the month is so low? Chief Deputy Brooks stated nearly every town wants to see more tickets and fewer warnings, not saying everything has to have a ticket. Yves stated the Town of Westfield is not here to make money and we are asking for the traffic to be slow through the town. Yves stated that the Librarian has an afterschool program and there are kids getting off the bus and he wants the safety of those kids. LaDonna stated that they walk around the town as an afterschool program. Anne asked if the State would provide the Radar sign this year because they have had one before.

**B. Sign Contract:** Chief Deputy Brooks stated the dates reflect from this year to next year, the department rate did go up. Jacques stated the contract is the same but the rate has changed – 3367.85 is the quarterly payments. Deputy Brooks stated the rate did change from 38.88 to 49.90. Yves asked, If the department is supposed to be out here for 22.5 hours and they only log 6 hours, does the Town get credit for this? Deputy Brooks stated he will verify and he said they may owe the Town some money. Deputy Brooks stated the department does billing differently for each town. For example, if we are going to provide 22.5 hours and we don't meet that obligation we only bill for the 6 hours in the months' time. And if it is over 30 hours the next month we won't bill you. He said they were short staffed this winter but have other people in training now.

**D. ATV Ordinance Enforcement:** The Sheriff's department has contracted with VASA to do ATV enforcement – the bulk of it will be on their trails. Westfield currently does not have a trail. Jacques stated that VASA is working to make a trail. Chief Deputy Brooks replied, if the roads are open and someone is abiding by the speed limit, the department typically does not stop them. The Chief Deputy stated, he would like to see more laws at the state level and not have different ordinances for different towns. The ATV ordinance is where we really see a difference. The Chief Deputy stated in Westfield,

everything is open. Glover is posted. One of the questions was, is it not open until it is signed? Therefore, someone can contest a ticket if the roads have to be signed. Chief Deputy Brooks stated the town has to have specific signs for every speed limit sign; there is a small sign that has ATV sign that states ATV Speed Limit is 35. They are located below the 35 sign on the same post. They are pop riveted. Barton has the same signs. Jacques asked is there a standard state sign for posting? Anne noted; in section G all town highways must be appropriately signed. Yves asked, do you put something coming into town? – Town Maintained Roads open to ATV traffic. Jacques stated we need to talk to Dan from VASA to ensure the ATV roads are signed properly. The minute someone contests a ticket it will be how the judge interprets the ordinance. Chief Deputy Brooks stated that a couple of towns had to revise ordinances in the past because of the lack of information in the ordinance.

**7. Update on Zoning Variance for Town Garage Expansion:** Yves spoke with Jason Belisle who stated Ethan Bathalon will assist with the construction. Yves stated they cannot start until end of July to August. Yves stated the town is set to go, because the Town does not need to get a variance or zoning permit because the Town is a Municipality.

**8. Update on Municipal Facilities Grant for Town Garage, Clerk's Roof & Radar Signs:** Jacques stated that they were unable to get the grant. According to the Zoning Administrator for the town garage, due to the timing, we can't wait until late fall to begin construction which is when we would here about approval. The Town would only qualify for 15%. Jacques stated if the Town would want to continue we can do so, by just keeping in the radar signs and the roof. LaDonna stated the Town only did the first part of the grant but can't get approval because we need to get all the information submitted. Yves stated to continue with the grant and eliminate the garage – The total amount of the grant is \$30,000, with a 15% match. The first round of money offered is state money and so we would have to revert to accepting federal. It's the same deadline that we applied for April 19<sup>th</sup>. They have a copy and just have to follow up with a list of items that they need. Jacques stated that we have not sent the financials and they want the last three years of the financials and this year's budget. Jacques stated we will hold off until September and you cannot do anything until you're approved. Typically you show invoices and then they reimburse the town. Yves stated it would be good to ask when you do get approved.

**9. Sign Warrant for Delinquent Dogs:** Yves stated we are down to two individuals for delinquent dogs.

#### **10. Road Updates:**

**A. Update on ATV Permits and VASA State Highway Access Application:** Update on permit is 28 permits and only three from Westfield. The Route 100 Access Application has been signed by Yves and submitted to the State of Vermont by VASA.

**B. Progress on Radar Signs:** Mary Lou emailed Nate Covey for assistance but she did get assistance from another town. 10 Technical Requirements – Yves read the requirements out loud (please see attached VTrans RSFS Guidelines with Policy #3014) Mary Lou said she can answer these questions but needs documentation. The only paperwork she received was the specs from Johnson Hardware and Jacques stated to search the vin number to get the documentation. Mary Lou stated she will find these technical radar signs needed to meet the specs.

**C. Update on Hisman Trees in Power Lines on School Street – Eric Kennison:** The Arborist to Vermont Electric (VEC) Co-Op feels it is not in imminent danger. It would be Hisman's responsibility. He would be willing to get him here if the Town was willing to cut the trees? Eric said to leave them there because of the cost per tree. He can install a new pipe for Hisman and extend the culvert and bump it out with stone so its not so close to the tree. Eric stated 600-700 will be the total cost to have a better turn around.

**D. Discuss Town Garage Expansion and Road Update:** This article was discussed out of order. See above for Town Garage Expansion, below for Road Update.

Yves stated the town is not doing any tarring – Yves got a complaint at 9 p.m. from Marcel that there is a bump in the road and asked if he can grade it. Yves asked if Eric could fix it. Anne was letting Eric know that the sheriff will be bringing the signs. Eric stated he has a sweeper that they just purchased. No paving and no Balance Rock Road work this year– he has to do basic maintenance – Jacques stated that they spent all of the road money on winter road maintenance. We overspent 60,000 on winter maintenance – it's this year's money but paid last year. Jacques, stated that at town meeting when we pass a budget and an increase and put it into effect right at town meeting – it doesn't start getting paid until fall. If we pass a budget at town meeting then we need to set a date after taxes. If Eric raises his 2% budget and then the town has to raise the taxes that much. Mary Lou will provide Eric a budget. Jacques said we should show Eric the exact number of dollars spent. Jacques also asked what authority the board has to get an approval for an additional rate to the tax rate. Mary Lou stated that she can ask Amber, another town treasurer at Fairfax, if there is a contingency that can be approved by the budget. LaDonna has asked if there is authority to add an additional Local Tax. Mary Lou will check in with Leagues of Cities and Towns and Amber is the treasurer at Fairfax to get answers about adding the contingency.

**11. Treasurer's Report – Mary Lou Jacobs:**

**A. Approve Warrants for Expenditures Dated 4/17, 4/24, 5/1 and 5/15/19:** Jacques made a motion to approve, Anne seconded. All were in favor.

**B. Financial Update:** Mary Lou reported that there is \$778.79 in the checking account and we received \$4,244.54 from the School and we will have a total of \$5,023.33 in the checking account. In the Edward Jones account it increased by \$2,396.20. The value with Edward Jones is \$199,456.88. Mary Lou school said the tax rate has not been set yet. The municipal tax rate and the school tax rate are currently comingled in our budget. Jacques requested that they need to be separated. Mary Lou can ask Amber to separate it in NEMRC.

**12. Sign Quit Claim Deeds for North Hill Cemetery (Loomis-2 plots & Lyster-1 plot):** Signed by Selectboard.

**13. Hazard Mitigation Plan with Jay:** Yves had discussed it and is in favor of it. Because NVDA is behind on creating hazard and mitigation plan and could possibly do a joint mitigation plan. We share ambulance and fire department in mutual aid. NVDA thinks it is ok. NVDA will write the plan but the Town of Westfield will need to assist. Anne made a motion to ask Bruce Melendy from NVDA to come to the next Selectboard meeting to discuss a joint Hazard Mitigation Plan with Jay. Jacques seconded and the motion passed unanimously.

**14. Local Emergency Management Plan (LEMP):** LaDonna, Jacques, and Anne, filled out the new template last year for LEMP, but the old format was submitted by NVDA to the State. Bruce Melendy from NVDA said not to worry about the deadline, he will come and assist us with the new format.

**15. Act 46-New Vital Records Law – LaDonna Dunn:** When the public requests their birth, death, or marriage certificate they have to fill out an application after July 1, 2019. Only certain family members can get copies of these vital records and after July 1, 2019 must show identification. It is now all digital through the Department of Health.

**16. Recycling Update:** Yves stated the legislature passed a law that they have banned plastic bags and will now charge the consumer 10 cents. The prices of recyclables are not going up. Yves stated he brought down a load of tires to Lyndonville. *per bag starting July 1, 2020.*

**17. Other Business:**

**A. Possible Dates for BCA Meeting-Odd Year Review of Voter Checklist:**

The BCA needs to meet before Fall to review the voter checklist name by name but 90 days preceding the election. A letter must be certified by Sept. 20<sup>th</sup>. The letter is certifying the BCA met and reviewed the checklist and sent challenge letters. A tentative date for Wednesday Sept. 4<sup>th</sup> 20<sup>19</sup>. 6 p.m. was set.

**B. Benches on the Common:** Jacques will put the forks on the tractor and move the benches back to the common before Memorial Day weekend. The Christmas lights will be removed.

**C. Phone Line at Library:** Mary Lou called Consolidated Communications to fix.

**D. By-Law Amendment Report:** NVDA suggested changing the wording of the proposed amendment to read, Accessory Dwelling located outside a flood hazard area. Pat stated that it has been approved by the Planning Commission. Plan is to have a hearing at the next selectboard meeting and it be warned for the public. Yves has asked Pat to ask Tom if he has any permits pending. Anne made a motion to adopt the by-law amendment and Jacques second.

**E. Lion's Club Complaint –** Mary Lou stated there was a complaint about tables taken from the Community Center that were needed for an event. Yves said it was his mistake because he was under the impression that the gentleman was a lions member. The gentleman stated he worked at the meal site and could borrow the tables. Yves said he will now direct people Denny Lyster.

**18. Adjourn:** Following a motion by Anne & second by Jacques all were in agreement to adjourn the meeting at 8:10 p.m.

Minutes submitted by: Heather Johnson  
Heather Johnson, Assistant Town Clerk

**Westfield Selectboard Approval:**

Date: 6/17/19 with 1 changes

Yves Daigle  
Yves Daigle, Chair

Jacques Couture  
Jacques Couture

Anne Lazor  
Anne Lazor

