

Westfield Selectboard Minutes
November 18, 2019 – 5 p.m. – Town Offices

Town Officials Present: Selectboard members: Yves Daigle (Chair), Jacques Couture (Co-Chair) and Anne Lazor; Treasurer, Mary Lou Jacobs; Town Clerk, LaDonna Dunn; Assistant Town Clerks, Heather Johnson and Karen Blais; Planning Commission Chair, Pat Sagui; and Road Commissioner; Eric Kennison

Members of the Public: Kitty Edwards and Debra Dykeman

1. **Call Meeting to Order:** Yves called the meeting to order at 5:05 p.m.
2. **Public Comment – 5 Minutes:** No public comment
3. **Additions and/or Deletions to the Agenda:** Added Letter from Sandra Snyder as Article 16C; Letter from Felines and Friends as Article 16D; and Road Stakes as Article 7H.
4. **Approve Minutes of the 10-21-19 Selectboard Meeting:** Following a motion by Jacques and second by Yves, all were in agreement to approve the minutes with five corrections.

A. Business from the Minutes: None

5. **Debra Dykeman – Culvert Issue:** Debra came to the Selectboard because the culvert that was changed, as part of a grant, above her driveway is causing water issues at her 12 inch driveway culvert. She said all the road sand and sediment comes down into her driveway culvert which plugs, causing water issues. She stated her late husband, Steve, would try to keep up with the maintenance of the culvert. It has gotten worse due to the severity of the stormwater events. Debra stated water used to go to the backyard and flood the basement. Yves said the Selectboard will contact Eric Kennison and see what can be done to fix the culvert before snow gets deeper. Anne asked if this section of the road meets the new standards. Heather mentioned the driveway culvert does not meet standards and needs to be upgraded to a 15 inch culvert, per the DOT Orange Book. Debbie thanked the Selectboard.

Eric later joined the meeting, at which time the Selectboard discussed the issue of the driveway culvert. Jacques made a motion that the town will pay Eric to install a new driveway culvert, if Debra agrees to purchase the culvert, because per the town's Driveway Policy the town does not pay for driveway culverts. Anne seconded and all were in agreement. Yves will contact Debra to discuss the Selectboards decision.

6. **Planning Commission Update – Pat Sagui, Chair (1/2 hour):** Three issues that Pat would like to discuss are the make-up of the Planning Commission, junk yards, and new definitions for dwelling units. Two of the issues are around the membership of the Board. Pat stated Kitty Edwards has submitted a letter of interest to be on the Planning Commission. The Planning Commission (PC) voted Kitty onto the Board, however, the Selectboard must appoint the position. Yves made a motion, with a second by Jacques, to appoint Kitty Edwards to the Planning Commission. All were in agreement.

The second issue is Commission member's participation and having a quorum to make a decision during a meeting or Board of Adjustment hearing.

Options for quorum:

- continue with 7 person board
- reduce membership to 5 with/without one or two alternates

Pat explained it has been challenging for two members to consistently attend meetings. Both feel their situations will change going forward and their attendance will be more consistent. Pat explained one member has agreed to be a permanent alternate. Anne asked what the procedure would be to make the PC a five member board. Pat said it was the Selectboards' preference and they have the authority to make the change. Jacques commented if the Selectboard votes to have a five member board with two alternates, it doesn't change the number needed for a quorum. Yves asked who is on the Board. Pat replied, Shawn Baraw, Ellen Fox, Loren Petzoldt, Yvan LaPlume, Brian Dunn, and now Kitty Edwards. Jacques made a suggestion to have a five person board. After much discussion about having two alternates, Jacques made a motion to keep the Board at seven members and wait a few months to see if circumstances improve. If they do not improve, the Selectboard can review the matter in executive session. Anne seconded the motion. All were in agreement.

The Planning Commission proposes addressing junk yards/junky yards as 'outdoor storage' and in an ordinance, not in a Bylaw. Pat reported that NVDA Planner, Alison Low, suggested an ordinance is preferred as it is easier to enforce. She also provided information on regulating some salvage materials under a Solid Waste Regulation. Pat provided the Selectboard with sample language from VLCT. Anne asked if storage containers need to be addressed. Pat stated most towns request vegetation screening or fencing around outdoor storage. Seasonal storage items such as boats, recreational vehicles and campers, need to be addressed. Regarding enforcement, Pat suggested looking at Barton's ordinance because they have been successful with hiring the Sheriff to issue citations/fines. The Planning Commission would like the Selectboard to review the Strafford and Barton Ordinances and sample language for regulating some salvage materials as Solid Waste and provide their input to the Planning Commission. Anne asked how structures will be included. Jacques asked if setbacks would be included. This is an ordinance that could be made a priority. Yves said he strongly favors an ordinance because it could hurt a seller or buyer if there is no regulation to control outdoor storage.

The third issue is to consider adding definitions for more types of housing and lodging. Pat provided a one pager from St. Albans for review. Anne asked what the purpose of making the change was. Pat stated that people are living with different household compositions. Whether Westfield needs this she does not know. The PC's goal is for the Bylaw to accommodate emerging housing scenarios, such as tiny-houses. Anne asked was there an issue? LaDonna stated that it hasn't been addressed. Kitty asked if there are any laws about Air B&B's. Jacques said his B&B is licensed. Some rentals under Air B&B are not. State law already governs this but the town could acknowledge the law in the Bylaws.

The PC goal is to be able to announce public hearings on the updated Bylaw in a notice included with the tax bill next summer.

7. Road Updates – Eric Kennison, Road Commissioner:

A. Progress on Radar Signs: The radar signs have been delivered. Yves stated the radar signs should be cemented in place. The Board agreed to wait until spring to install the radar signs when the temperature is more conducive to allow proper curing of the cement.

B. Halloween Storm Damage Report and FEMA Process: Yves asked if the damages have been repaired from the Halloween storm. Eric said all repairs to Loop Road, Balance Rock Road, Monteith Road and Kingdom Mountain Road have been completed. Jacques asked if there is a possibility of recouping the costs of removing sediment from the O'Donnell field. Eric stated FEMA will not pay for damage out of the town's right-of-way. Yves read Jason Sevigny's email update regarding FEMA. Jason requested the town begin the paperwork and await the announcement of the declaration. He stated if we need assistance Eric can call him.

C. Damage to O'Donnell Field from Loop Road Erosion: Jacques suggested the town apply for a Wild and Scenic River Community Grant for approximately \$10,000 to assist with the

cleanup around Loop Road near the Missisquoi River. Eric's preliminary estimate of the cleanup is \$5,000 to \$6,000.

D. Closing Taft Brook Road: The signs are here. Eric stated he has two 12' jersey barriers he can put in place to block Taft Brook Road at the Buck Hill Road entrance/exit. LaDonna will talk to VLCT to ask how to properly announce the closure.

E. Paving Repair on School Street in Front of D & D Electric: Yves spoke with D & D Electric and explained the town has cancelled the road paving due to the unanticipated road flooding expenses from the Halloween storm. The town will re-evaluate the paving of School Street in the spring.

F. FY21 Better Roads Grant Application Deadline Extended Until 12/13/19: Yves asked if Eric selected a project for this grant application. Eric stated he assessed the culvert on the Kennison Road with Jason Sevigny from the AOT District 9 office. Eric said the water almost flooded over the road in this area because the culvert is undersized. The Selectboard agreed this would be a good project.

G. Trumpass Road/Stop Sign Request: A request was made by a resident to have the Trumpass Road sign re-installed because there are issues getting mail/package deliveries. Eric will assess if the sign is available at the shop and get it installed or let Jacques know so a new one can be ordered.

H. Grade Stakes: Anne made a request for stakes to be installed on Buck Hill Road. Eric will install grade stakes for safety reasons because of the new ditching that occurred last year.

8. Treasurer's Report – Mary Lou Jacobs, Treasurer:

A. Approve Warrants for Expenditures Dated: 10/23, 10/30, 10/31, 11/6, 11/12, and 11/18/19. Anne made a motion and Jacques seconded to approve the warrants as listed. All were in agreement. In the future, Mary Lou will list the warrant date and amount paid on each date.

B. Financial Update and Budget Review: Mary Lou reported she noticed fraudulent activity on the Community National Bank account. She went to the bank to sign an affidavit stating it was fraud. She said the bank will be refunding the fraudulent amounts deducted from the general fund. Bank officials offered the town a new product to protect its investment. Mary Lou is waiting for more details from the bank. Jacques suggested closing the account would be best way to protect the town and the bank from future fraudulent activity. The Selectboard agreed. The clerk at the bank stated there has been fraudulent activity with other municipalities. The current balance of the general fund account is \$391,558.48. Last year at this time, the balance was \$152,796.36. Mary Lou reviewed last year's deposits to ensure all checks had been scanned and deposited. Everything was in order. The Halloween storm damage was \$29,637.61. When the state has received the declaration, the town will apply for FEMA assistance to be reimbursed for a percentage of the storm expenses.

9. Discuss Updating Speed Ordinance to Include 35 mph Section of Route 100: LaDonna spoke to the Town of Danville who has two separate speed ordinances. One ordinance is for speed limits on state highways and the other for unpaved highways. Jacques stated he would prefer one ordinance to incorporate all of Westfield's roads/highways. Yves was in agreement. LaDonna will send an email to Sara Davies asking her to review our current ordinance and determine the best way to add the 35 mph section of Route 100 per the Sheriff's earlier request.

10. School Board Letter of Resignation from Janellen Parker Goodwin: A letter addressed to the Westfield/Jay School Board from Janellen Parker Goodwin was read which explained due to family situations she has resigned. She stated it has been a great honor to serve on the School Board and she is proud of the work they have accomplished. State statute allows a school board to make appointments filling vacancies on their board until it can be voted on at the following Town Meeting. LaDonna asked School Board Chair, Kevin Amyot, to inform the Selectboard when the vacancy has been filled.

11. Sheriff's Report for October: Tabled because the report had not yet arrived.

12. Recycling Update: Yves reported the Hazardous Waste Day locations for the next three years: 2020 will be in Jay; Newport Center will be in 2021; and Westfield in 2022. Anyone is allowed to go to these locations with their hazardous wastes if they live within a 20 mile radius.

13. Select Date for Caroling on the Common (Jay Tree Lighting-Dec. 6th 6-7 p.m.): Thursday, December 12th at 6:00 p.m. will be the date for Westfield's Caroling on the Common. Yves requested a new billboard sign be purchased for the Common to promote events. LaDonna stated we did budget for a new sign. Mary Lou said she would look at the options for a better sign. Mary Lou will contact Santa to make arrangements to meet at the Troy Volunteer Fire Department and have Santa transported by fire truck for a 6:30 p.m. arrival in Westfield. Yves will make arrangements to: decorate the Common; coordinate with Mary Lee for music; coordinate with the Westfield General Store for refreshments; and arrange treats for Santa to hand out to the kids. LaDonna will coordinate the publicity including Save the Date flyers for Yves to distribute at the Recycling Center.

14. Ideas for Cover of Town Report: It was decided to feature the Town Garage/Recycling Building, on a Saturday, to showcase the newly expanded Town Garage as well as the activity on Saturdays at Recycling.

15. Form Committee for Joint Hazard Mitigation Planning Process with Jay: Bruce Melendy from NVDA requested there should be as many community members as possible on this committee. Yves asked how quickly the committee should be formed. LaDonna said it should be formed this spring. NVDA is looking at the Road Foreman, citizens from the community, Selectboard members, the Town Clerk, and the Treasurer as possible committee members. It was suggested to have a representative from the water district, fire department and one of the emergency management coordinators also on the committee. LaDonna requested the Selectboard think of other suggestions and review this topic again at the next meeting.

16. Other Business:

A. Letter from Vermont Center for Independent Living (VCIL): The Clerk read a thank you note from VCIL thanking the town for the appropriation donation.

B. No December Selectboard Meeting: The December Selectboard meeting has been cancelled. The next meeting will be the budget meeting on January 8, 2020 at 8 a.m.

C. Letter from Sandra Snyder: The Selectboard reviewed a letter from Sandra Snyder which explains the steps she has taken to resolve her road dispute with her abutting neighbor. The letter stated no action was being requested by the Selectboard.

D. Letter from Felines and Friends: The Clerk read a handwritten note thanking the Westfield taxpayers for their generous appropriation to Felines and Friends.

E. Barking Dog: Yves spoke to the neighbor who was concerned about the barking dog in the village. The barking has stopped; therefore, the complaint is rescinded.

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

Westfield Selectboard Approval: Date: _____ **with** _____ **changes**

Yves Daigle, Chair

Jacques Couture, Co-Chair

Anne Lazor

Minutes submitted by: _____
Heather Johnson, Assistant Clerk

Reviewed/Edited by: _____
LaDonna Dunn, Town Clerk

UNAPPROVED