

WEST WINDSOR SELECTBOARD

Draft Minutes
Sept 21, 2009

Present: Phil Arvidson, Bruce Boedtger, Tom Kenyon, Martha Harrison, Cathy Archibald, Ralph Johnson, Mike Spackman, Hal Pyke, Jim Kenyon, Dave Halpert, Heidi Edmunds, Bob French, Bill and Sylvia Young, Bill and Linda Ley, Duncan Brettell

- 1) Call to Order – Selectboard Chair Phil Arvidson called the meeting to order at 6:33 PM
- 2) Changes or additions to the agenda – West Windsor Historical Society lift; Town Hall building improvements; Certificate of Public Good
- 3) Public Comment – Heidi Edmunds: Heidi said the state and the county have a cruelty response system. Heidi said the Constable can call the Lucy MacKenzie Humane Society for assistance. According to Heidi, there is a handbook available on the subject and there are workshops as well. In an abandonment case, Heidi said the state police have the authority to enter the house and remove the animal.
- 4) EC Fiber update – Dave said EC Fiber’s financing fell through last fall but they are in line for possible stimulus funding from two sources including the Rural Utility Service (RUS). Dave said EC Fiber has received tremendous support from Vermont’s legislative delegation. Dave said EC Fiber should know if they’re going to receive funding in the next month or two. Because they are confident that the project will be funded, AEG, Inc. has started preliminary engineering design work. Phil said West Windsor has a potential hub site at the Town Garage. Dave said the Reading Fire Department may be the best hub site for this area. EC Fiber would lease the land at the prevailing rate. Dave said the houses connected to each hub should be within 8 miles of the hub. Mike suggested the heliport as an alternate site. Dave said that would be a good location also and he will mention it to EC Fiber. Dave said because EC Fiber is applying for loans and the towns are not allowed to incur debt, EC Fiber is forming a limited liability corporation which will own the infrastructure. The EC Fiber delegates will be the only people who have voting rights in EC Fiber, LLC. Phil expressed the Selectboard’s appreciation for Dave’s service as West Windsor’s representative to EC Fiber.
- 5) Energy Coordinator/Committee – Hal said the Planning Commission is recommending that the Selectboard authorize the formation of an Energy Committee rather than an individual Energy Coordinator. Hal said the PC has identified four volunteers willing to serve on the committee: Win Johnson, Ted Emerson, David Jaacks and Cathy Boedtger. Hal mentioned some of the work that the committee might undertake. Tom asked about the budget that the committee would need. Hal said the PC will work with the committee to come up with a budget. **Bruce made a motion to establish an Energy Committee. Tom seconded the motion, which passed unanimously. Tom made a motion to appoint Win Johnson, Ted Emerson, David Jaacks and Cathy Boedtger to the Energy Committee. Bruce seconded the motion, which passed unanimously.** Tom suggested that the committee members be appointed through December 31, 2009 and then reappointed through December 31, 2010. Phil and Bruce agreed.
- 6) Helicopter Landings – Phil said there have been private helicopter landings in town recently, which caused problems with livestock on adjacent property. Phil said if you want to land a helicopter in town you need a permit for a landing site which has to be approved by the Selectboard.

- 7) Ancient Roads timeline – Phil said Martha has called to the Selectboard’s attention the statutory requirements for establishing ancient roads and Phil asked her to pass the information on to the Conservation Commission (CC). Phil said Ted Siegler responded with an email saying that the CC would get back to the Selectboard with a proposed timeline after their next meeting. Phil reported that Ted said the subject might require a special meeting.
- 8) Town Forest – Phil said there has been discussion about the need to update the Town Forest Management Plan. Phil said Bruce has suggested asking the state forester for the names of some people who might assist with updating the plan. Bruce said if he’ll do it himself that would be great; if not, we should get a list of qualified people and solicit bids. Tom asked about the Town Forest Committee’s opinion on that. Phil said the Town Forest Committee has said that they have not been successful in finding someone to update the plan so if the Selectboard can get some recommendations that would be the logical next step. Tom said he thinks the Town Forest Committee should update the Plan by the end of 2010. Bruce said he thinks that’s a good goal. Hal said updating the forest management plan is one of the recommendations that the PC is including in the Town Plan. Bruce said the letter should be sent to Windsor County Forester Jon Bouton. Tom said he doesn’t want to bypass the Town Forest Committee. Phil said the committee has indicated that they have tried unsuccessfully to do this. Phil recommended copying the Town Forest Committee on the letter, which he asked Martha to draft.
- 9) Town Constable’s Report – Ralph said the town has an old wide-band GE radio which he can’t use anymore and someone has offered to purchase it for \$25. The Selectboard authorized Ralph to sell the radio. Ralph said there are still seven delinquent tax payers. Ralph said there’s a tax sale on the talc plant property scheduled for September 30th and there’s another property on which he may have to start tax sale proceedings.
- 10) Second Constable Resignation – Phil read a letter of resignation from Duncan Brettell. Ralph introduced Bill Young, who said he would be interested in the position. **Tom made a motion to accept Duncan Brettell’s resignation with sincere appreciation for all the work he has done. Bruce seconded the motion, which passed unanimously. Tom made a motion to appoint Bill Young as Second Constable, effective today. Bruce seconded the motion, which passed unanimously.**
- 11) Public assembly permit amendment: Vermont 50 – Ralph said they are planning to line the bicyclists up on the hill to start the race. Ralph said he tried to get them to start in the parking lot. Bruce said he can’t imagine hundreds of bicycles trying to funnel down that skinny driveway onto the road. Ralph said it doesn’t make sense; someone’s going to get hurt. Ralph said they should start at the lower end of the parking lot. Ralph said they usually start at Cunningham’s. Phil said that is a more logical place to start. Bruce said he thinks there is some reason they can’t use Cunningham’s. Bruce said he thinks the race organizers should be given the option to start at Cunningham’s or at the parking lot. Bruce said it would be a lot safer if they queue up in the parking lot than if they queue up on that steep driveway. **Tom made a motion to deny the request for an amendment to the permit but to allow the race to start either at Cunningham’s or in the parking lot. Bruce seconded the motion, which passed unanimously.** Phil asked Martha to communicate the Selectboard’s action to the applicant.
- 12) Town Clerk/Treasurer’s Report – No report
- 13) Cemetery Deeds – Cathy said the cemetery deeds can be signed later in the meeting.
- 14) Highway Foreman’s Report – Mike said the bank stabilization project is complete and the culverts are all in except for an emergency job on the mountain tomorrow. Mike said

ditching is complete and fall scraping is $\frac{3}{4}$ done. Phil noted that the area where the fill was placed, between the church and the Town Hall, has been hydro seeded.

- 15) Sheddsville guardrails – Phil said he is wondering if the town should put guardrails in along Sheddsville Road where there are now old posts. Mike said he talked with Trevor Starr about it and if you put band rail in one area and then there's an accident in another area, the town is setting itself up for a liability. Mike said Trevor recommended putting in delineator posts. Mike said band rail would narrow the road by three feet because you have to have a two-foot shoulder. Mike said you would need twelve foot posts in order to get them into something solid. Tom said he thinks the shoulder would need to be more than two feet. Ralph said the recent accident along that stretch is the only accident that has occurred there in thirty-five years. Tom said he thinks reflector posts would serve just as well as thousands of dollars of band rail. Bruce agreed that the road would have to be reduced by three or four feet to get the posts in properly, which would create even more of a safety issue. Bruce agreed with the suggestion to put reflectors in. Mike said reflectors won't stop anyone from going off the road. Bruce said yes, but reflectors aren't intended to do that. Phil said at least the reflectors will warn people where the edge of the road is at night. The Selectboard asked Mike to put delineator posts along Sheddsville Road in the area where the accident occurred. Tom asked Mike if they're going to do more tree work in October. Mike said he thinks they should look at the budget first.
- 16) Roads & Trees workshop – Phil asked if it would make sense for Tom or Mike to attend the workshop. Mike said yes.
- 17) Assistant Zoning Administrator – Tom said he suggested that the Selectboard appoint an Assistant ZA based on our being behind on the Certificates of Occupancy but as long as they're done by December 31st, he doesn't have a problem. Phil and Bruce said they are fine with that.
- 18) Correspondence – Johnathan Croft: Martha said Johnathan Croft's correspondence was about the ancient roads mapping timeline. Phil said he thinks that has been addressed sufficiently.
- 19) Other Business – Certificate of Public Good: Martha said the town received a copy of an application for a Certificate of Public Good for a solar array on Harrington Road. Phil said unless the neighbors are concerned about it, he would suggest that the town not get involved. Tom asked if the neighbors know about it. Martha said the neighbors were notified and one of them, who was trying to get more information, was not entirely happy with her ability to get all the information she wanted. Bruce asked if there is a public process which she could get involved in. Martha said yes. Phil said the Selectboard doesn't have any additional information so she would have to get that from another source. Tom asked if it's a passive system. Martha said it is passive as far as she knows. Comcast: Phil asked about the status of Comcast. Martha said Eustis Cable dug the trench and put the line in and they are supposed to come back in the next few days to do the rest of the work on the inside of the building. Phil asked if that would include connecting us up. Martha said that is her understanding
- 20) Budget Review – Highway: Phil said he thinks the overall budget looks fine; there are items that are out of line but they are items which are beyond the Selectboard's control such as repairs to equipment. Mike said he thinks the town is going to spend more than is allocated by the end of the year. Tom asked where we stand on the purchasing of sand. Mike said we still need 500 or 600 yards at \$7.50 per yard. Mike said the sand and gravel number is out of whack because of all the gravel they hauled in the spring. Tom asked if there is still money for tree removal. Mike said yes. Bruce said he doesn't really see any places where the town could cut back. Mike said there's a little bit of wiggle room in the

bridge budget because he doesn't expect to spend any money on bridges. Tom asked why the actual expenditures for plow parts exceed the budget. Mike said carbide blades aren't cheap, but they have enough to get them through the rest of this year. Phil noted that the Selectboard had deliberately underestimated the amount budgeted for state highway aid, so he thinks we're in reasonable shape. Cathy said we'll have \$80,000 in state aid by the end of the year and we budgeted \$42,000. Town Budget: Phil said he and Cathy think the town budget is in reasonable shape. Tom asked why the Listers Expense is over budget. Cathy said that has to do with the purchase of new computers and software.

- 21) Schedule October meeting – Because of the Columbus Day holiday, the Selectboard agreed by consensus that their next meeting would be on October 19th at 6:30 PM.
- 22) Minutes: August 10, 2009 – **Tom made a motion to approve the minutes of August 10, 2009 as written. Bruce seconded the motion, which passed unanimously.**
- 23) West Windsor Historical Society lift – Tom said that he has discovered that the Selectboard has to accept the bids for the work associated with installing the lift. Tom said there is a significant difference in the bids even though both contractors were given the same information. Tom said he would recommend that the Selectboard accept the lower bid and then he will check with the contractor to make sure that something wasn't forgotten. **Phil made a motion to accept the bid from Carter & Carter Construction in the amount of \$4,266.79 for the work necessary to install the Historical Society lift. Bruce seconded the motion, which passed with Tom abstaining.** Phil asked why the state is requiring the Selectboard to accept the bid. Tom said when they audit, they want to make sure that the town gave its blessing because theoretically it's a town building. Tom said the bid for the lift itself, from Allways, was \$22,696.25. **Phil made a motion to accept the bid from Allways. Bruce seconded the motion, which passed with Tom abstaining.**
- 24) Executive Session – **Tom made a motion to go into Executive Session to discuss litigation and personnel matters. Bruce seconded the motion, which passed unanimously.** After the discussion, **Tom made a motion to come out of Executive Session and to authorize the chair to investigate the appointment of alternates to the Development Review Board. Bruce seconded the motion, which passed unanimously.**
- 25) Adjourn/ Sign Town Clerk's Orders – **Bruce made a motion to adjourn subject to signing the Town Clerk's orders and the cemetery deeds. Tom seconded the motion, which passed unanimously.**

Respectfully submitted,

Martha Harrison