

## WEST WINDSOR SELECTBOARD

Draft Minutes  
December 14, 2009

Present: Bruce Boedtke, Tom Kenyon, Mike Spackman, Hal Pyke, Bob French, Ralph Johnson, Jim Kenyon, Cathy Archibald, Martha Harrison, Sue Greenall, Win Johnson, David Jaacks, Ted Emerson, Cathy Boedtke, Klaus Lubbe, Dave Halpert, Bill & Hilda Yates, Gareth Henderson, Hector Santos, Elena Santos, Rachel Santos, Josh Rector, Merle & Leone Bushkin

- 1) Call to Order – Selectboard Vice Chair Tom Kenyon called the meeting to order at 6:30 PM and noted the absence, due to illness, of the Selectboard Chair.
- 2) Changes or additions – move item #13 (Sheddsville-Cemetery intersection) after item #20 (Anticipated Executive Session), Sheddsville Cemetery trees and lot layout, Capital budget, fence in right-of-way, Conservation resignation and possible appointment, liquor license
- 3) Public Comment – None
- 4) Highway Access Application: William & Hilda Yates – Mike said he doesn't think there are any issues with the proposed access. **Bruce made a motion to approve the application by William and Hilda Yates for access to Hammond Hill Road from parcel #6-75.2. Tom seconded the motion, which passed.**
- 5) Skateboarding: Hector Santos – Hector asked if there is anywhere in town where some ramps could be set up for skateboarding. Hector said he would provide the ramps and maintain them. Hector said the skateboarding area in Windsor is not well maintained. Hector noted that, with the new skateboarding ordinance, people are not allowed to skate on the streets anymore. Hector said there was a skateboarding area at the school but the principal asked him to take it down due to insurance issues. Ted Emerson suggested the area just across the bridge on Resort property, where there used to be an activity area with an obstacle course for walking. Ted noted that the area would have to be paved. Tom suggested that Hector get together with other people who are interested and explore the options. Tom said he would have no objections if the skateboard area were located on Resort property. Hector said skateboarding gets kids to go outside and be active rather than sit inside playing video games. Cathy Boedtke said she was under the assumption that the school is public property and the playground is open for public use at anytime so there must be liability coverage. Cathy said she thinks a skateboard park is a good idea but the town would have to assume some sort of liability. Bruce said the Selectboard would have to check the town's insurance coverage. Bruce agreed that contacting the Resort is an excellent idea. Tom asked Hector to report back at the Selectboard's January meeting. Bruce said he thinks the Selectboard is receptive but some research needs to be done.
- 6) EC Fiber: Dave Halpert – Dave Halpert said EC Fiber is waiting to hear back about a funding application they submitted last summer; they were supposed to be notified in November but the notifications have been delayed until December so, hopefully, they will know in the next two weeks. Dave said EC Fiber had to make some structural changes in order to accommodate this new possible funding source because Vermont law does not allow towns to take on debt and the Rural Utility Service can only give loans. As a result, Dave said, EC Fiber created EC Fiber Holdings LLC. Dave said Senator Leahy's office has been very supportive. Dave said Atlantic Engineering and Lucent/Alcatel have started site planning and preliminary design work and both are providing loan guarantees. Dave said the first hookups should be in place about one year after financing is secured. Tom asked about the location for the buildings. Dave said the plan is to put the central hub in Royalton rather than White River Junction, but the locations for the other buildings have not been determined yet. David said there will be more public information sessions in January. David Jaacks said, originally, municipal bonds were going to be part of the financing and asked if that is still the case. Dave said no and, as a result, the overall interest cost for the project will be \$20 million less.

- 7) Energy Committee budget request – All members of the Energy Committee were present. Win Johnson said one of the highest priorities is to do an energy audit of the municipal buildings, which is not cheap. Win said energy audits help identify potential savings in energy consumption and provide documentation to justify grants for implementation. Win said the Committee has obtained one bid for \$8,500 to \$9,000 which they have rejected. Win said the Committee will get another bid after the first of the year. Win said the budget would have to be approximately \$10,000 if they are going to do energy audits. Win said the Committee also wants to sponsor some Button Up workshops, procure some videos that would be available for loan, and possibly help the school obtain a free curriculum. Win said the Committee submitted a preliminary application for a grant to upgrade the Town Hall heating system. Tom said he signed the application. Tom said the energy audit is a good idea. Tom asked the committee their thoughts on putting an article regarding the Energy Committee’s budget in the warning for Town Meeting. Win said that’s up to the Selectboard but it would give the Committee an opportunity to speak to the value of energy audits. Tom said the town is going to need the audit numbers because the Selectboard has talked about renovating the town hall and developing a capital budget. Merle asked if CVPS does that type of audit. Win said not that he is aware of. Bruce said he supports the idea of starting with energy audits and thinks the payback will be pretty quick. Win said the bid was \$6,500 just to do the school and \$2,200 to do the other three buildings (Town Hall, Library and Town Garage). Cathy said if the Committee’s preliminary application is approved, they have to submit a 42-page application by the end of February, which is prior to Town Meeting. Cathy said the grant application may require the Committee to affirm that they will be contracting for an energy audit and, if the Committee’s budget is a separately warned article, they won’t know by the end of February whether their proposed budget will be approved by the voters. Ted said the grant also requires the town to contribute matching funds. Cathy said the Committee asked for \$48,000 to upgrade the town hall heating system. David said the out-of-pocket cost for the town would be \$9,600 or 20%. David said the audit would be a substantial part of the 42-page application. Tom asked the Committee to put their request in writing for consideration next week when the Selectboard begins budget discussions. All agreed that, for the grant application, there only needs to be an audit of the town hall in the near future. Tom said he thinks there will be enough money in the budget to cover that. Bruce asked how long an audit of the town hall would take. Win said the audit itself takes a day but getting the report back may take longer.
- 8) Town Constable/Delinquent Tax Collector’s Report – Ralph said he put 31 tax liens on property in November and collected \$130,000 in delinquent taxes. Ralph said there will be another tax sale on the talc plant at the end of January.
- 9) Town Clerk/Treasurer’s Report – The Selectboard agreed to sign the cemetery deed and bank note at the end of the meeting. 11-month Budget Review: Tom said he has some questions that can be taken up when the Selectboard has its budget meetings. Schedule 2010 Budget Meetings: The Selectboard scheduled budget meetings for Wednesday, December 23<sup>rd</sup> at 4:30 PM and Wednesday, December 30<sup>th</sup> at 4:30 PM.
- 10) Highway Foreman’s Report - Schedule highway crew meeting: The Selectboard agreed to meet with the highway crew on Wednesday, December 30<sup>th</sup> at 3:00 PM. Tom said Windsor is talking about changing Brook Road from Class 3 to Class 2. Mike said he wouldn’t support that on West Windsor’s portion of Brook Road. Mike said the painting on the covered bridge is done and all the damaged signs have been replaced. Mike said he reviewed the map that was provided by the state and there are some serious errors that need to be corrected. Tom asked Mike to submit the mistakes in writing. Tom encouraged the public to look at the map and report any errors.
- 11) Scour Plans of Action (POAs) for bridges – Tom noted that the town complies with all the recommendations.
- 12) Certificate of Highway Mileage – Tom said the Selectboard can take this up when they discuss the errors on the town highway map in early January.

- 13) Sheddsville-Cemetery intersection – Tom said this item was a mistake; it was supposed to be on the agenda as “Brownsville-Hartland & Cemetery Road intersection.” Tom said Town Attorney Matt Birmingham is waiting for a response from the Selectboard. Tom said West Windsor did not hire the individual in question and therefore should not pay him. **Bruce made a motion to ask Matt Birmingham to prepare a written response to that effect on behalf of the Selectboard. Tom seconded the motion, which passed.**
- 14) Beaver Brook erosion – Tom said it was brought to his attention that Beaver Brook is eroding town and church property. Tom said he had Dan Lesnick look at it but the town would need to get state permission before working in the stream and, since work can't be done in the brook at this time of year, this item can be tabled. Sue suggested that the Selectboard seek advice from Ottaquechee Natural Resources.
- 15) Status of Grange Hall lift – Tom said the Historical Society received a work permit from the Department of Public Safety to install the lift.
- 16) Status of sidewalk repairs – Tom said the question is whether the town wants to retain some funds from the Community Development grant to work on the sidewalks next year, but this can be considered during budget discussions. Town Hall roof – Tom said he authorized the contractor to use a lift because it's too slippery to do the work without one. Furnace estimate – Tom noted that a grant application is in the works. Energy Committee grant application – Tom noted that this item has already been addressed.
- 17) Correspondence: Matthew Birmingham – Tom noted that this item has already been discussed. Peter & LeeAnn Manke – Tom said this letter is in reference to the public hearing on December 21<sup>st</sup> and will be considered at that time.
- 18) Other Business – Sheddsville Cemetery trees: Tom said the funds needed to purchase the snowdrift flowering crab trees have been pledged. Sheddsville Cemetery lots: Tom handed out a copy of the new plans for the cemetery, which include narrowing the easternmost lane to 7', shifting some lots to the south, and including a 24' opening to the cemetery from the right-of-way. Healey Pond: Jim said he received a letter of concern about the Healey's pond, which has been enlarged by beavers. Tom said one problem is the height of the dam and the other is a maple tree, damaged by beavers, that is threatening the power lines. Tom said he contacted CVPS about the tree and he thinks they will take it down. Bruce asked if the pond is on private property. Tom said yes, but it threatens Rush Meadow Road. Jim suggested that the Selectboard and the Highway Foreman look at it. Mike said the highway department has no control outside of the right-of-way. Tom suggested that the Selectboard write a letter to the property owners alerting them to the problem. Bruce said if it's threatening town property then it's an issue but, without looking at it, he doesn't know. Bruce asked if the pond has an outlet structure. Mike said no. Bruce said he will go look at it. Ambulance contract: Jim said the Selectboard should receive the ambulance contract later this week. Dispatching: Jim said he's been told that dispatching fees are going to go up about 2% or \$160. West Windsor Conservation Commission: Sue said she submitted a letter of resignation and the Commission would like the Selectboard to appoint Klaus Lubbe to take her place. Tom said when the Selectboard has its budget meeting, they will consider the resignation and appointment. Fence in right-of-way: Tom said Karl Hanson has applied to put a fence in the Silver Hill Road right-of-way. Tom suggested that the Highway Foreman look at it and make a recommendation. Mike asked what kind of fence it is. Martha said she thinks it's a split rail fence. Bruce asked Martha if he has submitted an application. Martha said yes; the application is scheduled for a variance hearing in January. Bruce asked why the applicant needs to put the fence in the right-of-way. Martha said the house is already in the right-of-way. Bruce said the issue would be whether or not there is a problem plowing.
- 19) Approve Minutes - November 9, 2009: **Bruce made a motion to approve the minutes of November 9, 2009 as written. Tom seconded the motion, which passed.** November 20, 2009: **By unanimous consent, the minutes of November 20, 2009 were tabled for consideration at the next meeting when all Selectboard members are present.**

- 20) Anticipated Executive Session: Legal and Personnel Matters – Not necessary. Martha will notify Matt of the Selectboard's response to the letter from the McCullough's attorney.
- 21) Sign Town Clerk's Orders & Other documents/Adjourn – **Bruce made a motion to adjourn at 7:22 PM, subject to signing the Town Clerk's orders and the other documents that need to be signed. Tom seconded the motion, which passed.**

Respectfully submitted,

Martha Harrison