

WEST WINDSOR SELECTBOARD

Draft Minutes

December 12, 2011

Present: Glenn Seward, Tom Kenyon, Bruce Boedtke, Mike Spackman, Ralph Johnson, Cathy Archibald, Cathy Boedtke, Matt Belden (Daniels Construction), Ashley Pakenham, Merle Bushkin, Martha Harrison

- 1) Call to Order – Selectboard Chair Glenn Seward called the meeting to order at 6:30 PM.
- 2) Changes or additions – Sheddsville marker; West Windsor Historical Society article for Town Meeting warning; footbridge behind fire station; town sidewalks; Nilson property; unused employee vacation & personal time; rearrange agenda to discuss culvert bids, equipment & paving funds, and Brook Road with other highway issues; postpone West Windsor Disaster Relief Fund discussion until tomorrow; move Pakenham trail agreement discussion up on the agenda
- 3) Town Clerk's Orders – **Tom made a motion to sign the Town Clerk's orders. Bruce seconded the motion, which passed unanimously.**
- 4) Public Comment – None
- 5) Town Clerk/Treasurer's Report – Cathy asked to speak with the Selectboard in Executive Session tomorrow. The Selectboard agreed.
- 6) Town Constable's Report – No report
- 7) Highway Foreman's Report – FEMA: Mike said we should be finished with FEMA projects, other than the bridge, this week. Glenn said we're going to meet with FEMA tomorrow to sign the forms on the roads that are finished. Glenn reported that our FEMA representative has left and a replacement has not been assigned yet. Glenn said he spoke with Alec Portalupi about this. Bowers Bridge: Mike said the re-decking of the Bowers covered bridge is done. Better Backroads grant report: Martha said she told Jarrod Becker that we expect to have our report done by the end of the year and he said that's fine. Road Foreman's meeting: Mike said the meeting was canceled and has been rescheduled for Wednesday. Perry Edson: Tom asked Mike about the unauthorized work Perry Edson did on Coon Club Road. Mike said he is going to fix it properly. Weeden Hill project: Tom asked Mike if he is still comfortable with doing the work this spring. Mike said yes. FEMA forms: Glenn asked for authorization to sign the FEMA forms. **Tom made a motion to authorize the Selectboard Chair to sign the forms. Bruce seconded the motion, which passed unanimously.** Gravel pit road: Bruce asked about making the road passable with a culvert or some stone. Glenn agreed. Mike said he can't do it this time of year. Equipment & Paving Funds: Bruce suggested discussing the Funds tomorrow when the numbers are available. Glenn and Tom agreed. Silver Hill Bridge: Mike asked if the town has been reimbursed by the state yet. Martha said no; she needs to send the canceled check to District 4 when we get it.
- 8) Consider awarding contracts for box culverts on Dugdale Rd. & Wardner Rd. – The Selectboard opened the bids from Daniels, M&M, and Murphy Construction for the box culvert replacement projects. Glenn said the bid from Daniels is \$133,000 for Dugdale Road with a \$45,000 add-on for a temporary road, and \$83,500 for Wardner Road, with a \$15,000 add-on for a temporary road. Bruce said the bid from Murphy is \$127,140 for Dugdale, inclusive, and \$109,300 for Wardner. M&M Construction submitted one bid of \$198,530 for both projects. Matt Belden said M&M has shorter boxes and key walls instead of wing walls. Mike said one project is state-funded and one is FEMA-funded so a combined bid won't work. Bruce said if we asked for separate bids and M&M didn't provide them, it's only fair to throw M&M's bid out. The Selectboard agreed to give copies of the proposals to the Highway Foreman so he can comment. **Bruce made a motion to accept the bids from Daniels and Murphy, reject the bid from M&M, and act on the bids at a future date after further review by the Selectboard and Highway Foreman. Tom seconded the motion, which passed unanimously.**

- 9) Town Forest Committee (TFC) appointments – Glenn said the Selectboard sent a letter to the members of the TFC notifying them that all appointments will expire on December 31st and, if any of them are interested in continuing to serve on the committee next year, they should contact the Selectboard. Glenn said the Selectboard had also decided at a previous meeting that, going forward, the TFC would be a 5-member committee with one-year appointments. Glenn said five of the existing committee members expressed interest in continuing to serve. **Glenn made a motion to appoint the five interested parties - Rudy Gross, Laura Stillson, Cathy Boedtker, Jim Lyall and Dennis Lemire – to the Town Forest Committee until December 31, 2012. Tom seconded the motion, which passed with Bruce abstaining.**
- 10) West Windsor Disaster Relief Fund (WWDRF) – Glenn said the trustees of WWDRF have asked to meet with the Selectboard in Executive Session tomorrow to review applications and decide how the funds will be transferred. **Tom made a motion to table consideration of the WWDRF until tomorrow’s meeting. Bruce seconded the motion, which passed unanimously.**
- 11) Rural Vermont’s local food sovereignty petition – The Selectboard members agreed that they have no problem with the issue but are not sure what action is being requested. Bruce suggested contacting someone for more information. Glenn said we should contact Sue Greenall.
- 12) Law Enforcement – Glenn said Ralph is running for Constable again but we need to address police protection after July 1st. Glenn said he had a preliminary meeting with Windsor to find out what they can do for us, and also talked with the State Police and the Sheriff’s Department. Glenn said he is concerned about getting the quickest possible response time to a “911” call. Glenn said both the Sheriff’s Department and the State Police Department discouraged him from relying on them for 24/7 emergency coverage. Glenn said there is a meeting scheduled for 8:00 AM on Thursday in Windsor to further the conversation. Glenn said there is substantial interest in a regional police force but it will be some time before something like that could be organized. Ralph said he doesn’t think the regional concept is going to work. Tom asked if Windsor is interested in a short-term contractual arrangement. Glenn said yes, and they are also interested in “bundling” emergency services to include ambulance service. Bruce noted that no decisions will be made at the meeting on Thursday. Mike said, as Fire Chief, he would like to be in the loop. Glenn said Mike and Ralph are more than welcome to attend any public meetings on the issue.
- 13) Wastewater issues – Glenn summarized the options. Glenn said, from a financial point of view, it makes sense to connect to Windsor and, from a long-term planning perspective, it makes sense for Windsor and West Windsor to take possession of the sewer line. Glenn said Windsor is willing to talk about this idea further. Glenn said he does not think anyone will buy the ski area until the utility issues are straightened out. Glenn said he would like to talk with the owner of the sewer system. Bruce suggested talking with Town Attorney Matt Birmingham. Glenn said he has discussed it with Matt and Matt has suggested continued discussions. Tom asked about billing. Glenn said that would have to be worked out. Tom asked about the configuration of the system. Glenn said he thinks there are two pipes going into Pump Station #1. Glenn said Windsor has expressed interest in maintaining the line.
- 14) Budget – Glenn said the 2011 budget looks good.
- 15) Pakenham Trail License – Glenn said the License requires the town to discuss how things are going once a year with Ashley. Ashley said she has no concerns but Ann Niles has some concerns about her section of trail, which is extremely wet. Glenn said Ann has put up a sign prohibiting wheeled vehicles but feels that the sign is being ignored. Glenn said he told Ann that he would talk with Jim Lyall to see if a solution can be worked out. Ashley said she suggested to Ann that she approach the Conservation Commission about changing the terms of her easement. Ashley suggested that the muddy portion of the Niles Trail could be re-routed. Ashley said the signs directing people to the Alexander, Saunders, and Niles trails are in place on her property. Tom asked who monitors the trails. Ashley said she doesn’t know the terms of the agreement between Ann Niles and the town. Glenn said that should be clarified. Bruce said he would like to read the Niles Trail agreement. Ashley said she spoke with Charlie Saunders and he has had no problems

- on his portion of the trail. Glenn said he will gather some information and get in touch with both Ashley and Ann. Tom asked if the Pakenham Trail License is still binding. Ashley said it is binding until either she or the town changes it. The Selectboard thanked Ashley for coming down.
- 16) Fire District status – Glenn reiterated that the wastewater situation is unstable and the town should help get a solution in place. With a lot at stake in the village, Glenn said he thinks the town needs to have an element of control and a fire district would not allow that.
- 17) Recreational Trails – Tom asked if the Town of West Windsor is now the lone applicant on the Act 250 permit. Glenn said he sent a letter to STAB President Erik Schutz about removing STAB from the application and questioning the necessity of a maintenance agreement with STAB given that the town is thinking about creating a part-time position to oversee Town Forest trail maintenance. Glenn said the Selectboard is also thinking about including funds for signage and trail maintenance in the 2012 budget. Glenn said, since the town is planning to commit resources to the Town Forest trails, the town needs to have someone who answers to the Selectboard responsible for maintenance. Glenn said that Erik understood but was concerned that the volunteers who have put a lot of work into the trail system might feel like the town is seizing it. Tom asked how many other trails West Windsor has and suggested that the person who oversees trail maintenance in the town forest could oversee maintenance on other trails as well. Glenn said he does not want to spend taxpayer dollars to maintain trails on private property. Ashley suggested that the person overseeing the trails in the town forest could be consulted by private landowners with trails on their property. Glenn said STAB could help with that as well. Bruce said not having STAB on the Act 250 application doesn't exclude them from participating in discussions or presenting ideas about the trail system. Glenn agreed and said he thinks an agreement outlining those things might be appropriate. Cathy Boedtke said she thinks anyone hired to maintain the trails should also report to the Town Forest Committee. Cathy added that STAB has lost a lot of local support and the officers of STAB are not always local people. Glenn agreed that the TFC should be involved and suggested that the Selectboard and the TFC get together and come up with a plan. Ashley echoed Cathy's concern about local control. Cathy said she also has concerns about STAB's map. Tom said Jim Lyall may be hired to take care of the trails, which are overseen by the Town Forest Committee, of which Jim is a member. Tom added that he doesn't have a problem with that. Glenn and Bruce agreed that they do not have a problem with it either. Bruce said the details need to be worked out. Tom said he wants to be sure that the TFC is comfortable with the town hiring Jim. All agreed that a joint meeting should be scheduled.
- 18) Other Business – Footbridge: Glenn had a proposal from Dennis Lemire to fix the bridge. Tom enumerated the benefits of restoring the bridge. Bruce raised the issue of ADA compliance. Mike asked if there is enough money in the disaster relief fund to repair the bridge. There was discussion about the Resort's ownership of the bridge and the land on either side of it. Glenn said someone needs to step forward to organize a fundraising effort. Bruce said we need to find out what's involved in making the bridge ADA compliant and then get an estimate. Mike said it's private property. Mike suggested getting funding from the disaster relief fund to put it back the way it was. Glenn said the disaster relief fund cannot accept earmarked money. Tom said a donation can be earmarked but, if it is, then it's not tax-deductible. Bruce suggested discussing it with the West Windsor Disaster Relief Fund trustees tomorrow. There was additional discussion about ADA requirements. Bruce suggested discussing the issue with the owner of the Resort.
- 19) Fourth of July contract - Glenn said he discussed Fourth of July activities with the Resort owner's representative and was assured that the town is welcome to use Resort property. **Glenn made a motion to sign the fireworks contract for 2012. Tom seconded the motion.** Martha noted that the dates on the contract are incorrect. The Selectboard corrected the dates. **Glenn called for a vote on the motion, which passed unanimously.** Mike noted that a fireworks permit has not been issued. Cathy Boedtke said the Fourth of July Committee has not applied for the permit yet.
- 20) Reappraisal contract - Glenn said he does not have a recommendation from the Listers.

- 21) Town Hall projects for 2012 – Tom said he found the cover for the septic system. Tom said Dennis is done with the repair work on the Town Hall so we can file for reimbursement. Tom said the inmates at the correctional facility can paint the upstairs hall in January. Martha asked if the painting could be done when it's warmer outside so the windows can be open. Tom said he will check on the paint. Glenn agreed that the fumes from refinishing the floor last winter were not very pleasant. Bruce suggested waiting until we can open the windows. Tom said the inmates are also willing to clean the sidewalks.
- 22) Tree Warden's Report (Weeden Hill) – Tom said he met with William Kuiken and Bambi Prigel and they agreed to the proposed tree removal and ditching in the spring.
- 23) Finalize revisions to zoning regulations – **Tom made a motion to table this item until tomorrow morning. Bruce seconded the motion, which passed unanimously.**
- 24) Correspondence - Harry Chen, VT Health Commissioner: The Selectboard received a letter confirming Nancy Gaynor's appointment as Health Officer. Greg Nadeau, Mill Metals Recycling: The Selectboard received a letter offering a metal recycling service. The Selectboard agreed to table consideration. Douglas Johnston: The Selectboard received an invitation to a lunch hosted by the VT Chiefs of Police.
- 25) Approve Minutes – October 18th: **Tom made a motion to approve the minutes of October 18th as amended. Bruce seconded the motion, which passed unanimously.** October 27th: **Tom made a motion to approve the minutes of October 27th as amended. Bruce seconded the motion, which passed unanimously.** November 4th: **Tom made a motion to approve the minutes of November 4th as written. Bruce seconded the motion, which passed unanimously.** November 9th: **Bruce made a motion to approve the minutes of November 9th as written. Tom seconded the motion, which passed unanimously.** November 22nd: **Glenn made a motion to approve the minutes of November 22nd as written. Bruce seconded the motion, which passed unanimously.**
- 26) Other Business – Personal and vacation time: Glenn said, because of their efforts following Tropical Storm Irene, Mike and Martha have unused vacation and personal time and he doesn't think it's fair for them to lose it. Glenn said he would like to either pay them for it or allow them to carry it forward to next year. Tom said this may be what the Town Treasurer wants to discuss tomorrow. The Selectboard agreed to consider the issue tomorrow. Sheddsville marker: Tom said he received a letter from Ann Niles explaining that a plaque recognizing "Trees for Local Communities" as the donor of the funds for the marker was supposed to be created back in 1992. Mike suggested putting the plaque on the back of the marker. The Selectboard agreed. West Windsor Historical Society (WWHS) articles: Tom said there has to be a warning requesting tax exemption every five years. Tom suggested including an article in the warning asking for a donation in the amount of \$6,500 to support the WWHS, which would cover utilities and insurance. Glenn said he has no problem with that. Bruce was concerned about the WWHS selling the building. Tom said they can't sell it; if the Society ceases to exist, the building goes to the town. Nilson property: Tom said he has not heard from Barbara Nilson so he assumes that it is okay to continue using her property for the Bowers Covered Bridge project. Tom said Barbara has also not given Tom a price for the property but, if she does, he would like to include an article for the purchase in the warning for Town Meeting. Police Department Frequency & Repeater: Tom said Jim Kenyon has recommended that the town continue to try to get its own 100-watt frequency. Bruce and Glenn agreed.
- 27) Adjourn – **Tom moved to adjourn at 8:45 PM. Bruce seconded the motion, which passed unanimously.**

Respectfully submitted,

Martha Harrison