

West Windsor Selectboard
Draft Minutes
December 14, 2015

Present: Dick Beatty, Ted Siegler, Tom Kenyon, John & Sue Greenall, Elizabeth Burrows, Deb Shearer, Ashley Carihfield, Barbara Gerstner, Dave Dugdale, Jim Yates, Heather Hoyns, Kevin McAllister (Windsor Fire Chief), Bob French, Jim Curry, Ashley Pakenham, Mike Doten, Nancy Gaynor, Bill Stillson, Mike Spackman, Cathy Archibald, Amy Rusiecki, Claudia Sacuk, Wendy Bejarano, Laura Farrell, Ellen Hamilton, Teresa Bauernschmidt, George Calver (VT Standard), Martha Harrison

1. Call to Order – Dick Beatty called the meeting to order at 6:30 PM.
2. Changes or additions to the agenda – change the order in which the topics are considered; sign Hotel Road Mylar; FEMA Project Completion & Certification Report; police report; vacation time
3. Town Clerk/Treasurer’s Report – None
4. Announcements/Public Comment – Jim Curry was present on behalf of the Brownsville Beautification Committee to thank the Selectboard and the Highway Department for their help and support in lighting the trees in front of the town hall. Ted thanked the committee and all the volunteers who helped with the project, and said it looks great.
5. Ambulance contract discussion - Kevin McAllister, Windsor’s new Fire Chief, introduced himself and explained some of the improvements that Windsor has made to its ambulance service, including additional paramedics and additional training. Kevin noted that these improvements have been implemented without an increase in the fee proposed in the contract with West Windsor.
6. Request for child care during Town Meeting – School Board member Elizabeth Burrows asked the Selectboard to provide on-site childcare for pre-school-aged children during the 2016 Town Meeting. Elizabeth said she would be willing to pay for the care but would like the town to provide the space and the care givers. Martha suggested asking high school students to provide child care since they are usually not in school on Town Meeting day. Cathy said there are three elections that day and she’s not sure yet whether or not she’ll need the downstairs hall space for the elections. The Selectboard agreed to investigate the possibilities for complying with Elizabeth’s request.
7. Review Pakenham trail agreement – The Selectboard had no complaints to report. Ashley said someone had a campfire on the property last summer and threw the burning embers into the juniper bushes. Ashley said they took stones off the stone wall, cut down trees, and ripped down snowmobile signs. Ashley has photos that she will share with the Selectboard. Ashley said she is convinced that the perpetrators were not local because local people know that the trails could be permanently closed by the Vermont Land Trust (VLT) if things like this happen. Ashley noted that this incident could have resulted in a forest fire, with devastating impacts on the 28 landowners in the vicinity. Ashley encouraged those present to let her, or a neighbor, or the fire department know if they see anything suspicious in the future. Ted asked if it would be helpful for the town to put up more substantial signage. Ashley said she will consult with VLT first and then get back to the Selectboard if they can provide any assistance. **Ted moved to authorize the Chair to sign the license agreement for the Pakenham trails. Tom seconded the motion, which passed unanimously.**

8. Application for Public Assembly: Vermont 100 Race (1850 Silver Hill Road) – Race Director Amy Rusiecki was present and spoke on behalf of the Vermont 100 and asked the Selectboard to make a decision on the application tonight so they have time to plan. Ted said if the town acquires the ski area property tomorrow, as expected, and is able to resolve the Base Lodge issue, are there any other reasons the event could not be held in that location starting in 2017. Ted noted that a friendly landowner now owns Mile Long Field. Heather Hoyns said they need 40 acres of flat area for the horse portion of the race, as well as access to water, horse stalls, and telephones. Heather added that they would prefer not to cross Route 44 twice. It was also mentioned that the area proposed for use by horses, in the vicinity of the Base Lodge, is too steep for horse trailers. Amy said they have not looked into the possibilities presented by Mile Long Field yet because they did not know it might be available. Ted asked the race organizers to keep an open mind about using the ski area in the future. Ted said one of the reasons the town acquired the property was to secure an area where large events can be held. Heather asked if there is access from the ski area to the trails. Ted said there is a multi-purpose double-track trail open to use by horses from the ski area to Kimball Farm Road. Ashley Pakenham, who lives on Bryant Road and allows the event to use her trails for the race, spoke in favor of the Vermont 100 event. Dave Dugdale said he supports the Vermont 100 but the Selectboard promised they would move the event out of his front yard. Dave said the General Store would get more business from the event if it were held next door on the ski area property. Dave said the event interferes with the access to, and use of, his property. Mike Doten said they will explore the possibility of using Mile Long Field in future years but, for this year, he doesn't think it's a viable alternative to the Silver Hill site. Ashley Carihfield, who lives on Cowshed Trail, spoke in favor of the event and said it benefits the whole area. Heather said they have looked at alternative sites but many open fields are used for haying and are not available in the middle of summer. Ellen Hamilton, who lives on Silver Hill Road, said it's an important community event and she doesn't mind making adjustments for one weekend out of the year. Teresa Bauernschmidt, who lives on Silver Hill Road, spoke in favor of the event. Deb Shearer reminded the Selectboard that the Vermont 100 is the last race in the country that has horses and runners on the same course at the same time. Wendy Bejarano, who lives on Coon Club Road, spoke in favor of the event. Dick noted that he received an email in support of the event from Tim Mello. Dick asked the event organizers about their agreement with the Police Department regarding traffic control. Amy said participants need to be reminded that Silver Hill is a public road and they can't be walking in the middle of it. Amy said the police are present from Friday morning until the end of the race on Sunday so they are present for 50 hours. Amy said last year was the first year that the race used the Windsor Police Department and there were a few bumps. Amy said they will clarify their expectations with the Police Department this year. Dick asked if police protection and traffic control can be expanded. Mike said they have talked about creating a "sidewalk" area with stakes and tape to keep people out of the road. **Ted moved to approve the permit application as submitted for this year.** Ted said the Selectboard has made promises to the Dugdales and he hopes those promises will be kept once the work has been done to turn the ski area property into a viable recreation area but that work has not been done yet. Ted said he would like to see as many events as possible on the ski area property. **Tom seconded the motion.** Dick said he would like to see traffic control and police coverage expanded to address some of the complaints of the neighboring property owners. **Dick called for a vote on the motion, which passed**

unanimously provided there is expanded traffic control in the area. Dick noted that the Base Lodge parcel is not owned by the town and is not a flat, 40-acre parcel.

9. Request to work in Cowshed Trail right-of-way: Barbara Gerstner – Dick noted that this is an “after the fact” request. Barbara said the ditch was eroded and she couldn’t back her trailer in easily so she had a drop inlet installed. Tom said drop inlets tend to get plugged up. Barbara said she is more than happy to be responsible for any damage that occurs as a result of the inlet. Dick said the town does not have the time and tools to maintain the inlet so Barbara will have to be responsible for maintaining it and, if it overflows and causes damage to the road or other property in the right-of-way, she will have to be responsible and liable for that. Dick said a permit should be recorded in the Land Records to ensure that subsequent property owners are aware that the drop inlet is not a town structure and the property owner is responsible for all maintenance and liable for any damages associated with it. Ted said the town has never approved drop inlets and the contractor should have known that he needs permission to work in the town right-of-way. Barbara agreed to sign an agreement accepting responsibility for the inlet. Mike said if the inlet doesn’t work properly, it will have to come out. **Tom moved to approve Barbara Gerstner’s request for the installation of a drop inlet in the Cowshed Trail right-of-way, provided the property owner agrees in writing to be responsible for all maintenance and liable for any damages associated with the structure. Ted seconded the motion, which passed unanimously.**
10. Highway Foreman’s report – Culvert inventory: Mike said he’s hoping to finish the culvert inventory tomorrow; he still has to gps the culverts on Hotel Road and Coaching Lane Extension. So far, Mike said, he would estimate that 20 to 25 culverts need repair, and another 50 need to be cleaned out. Town Forest access: Mike said the work has been done to realign the access to the town forest from Kimball Farm Road. Martha noted that the neighboring property owner to the north stopped in today and is not happy about the situation. Dick said the trail is now entirely on land that the town and two lawyers believe is owned by the town. Dick said if Ms. Jones wants to file suit that’s up to her but he’s confident that we’re in the right. Ted agreed. The Selectboard complimented Mike on the work done. Hotel Road: Mike said he was surprised to hear that the town is going to be responsible for Hotel Road, starting tomorrow. Dick said the Selectboard is supposed to gather with all the attorneys involved in the closing tomorrow at 8:00 AM at the Town Hall. Mike asked if the maintenance garage will belong to the town. Dick said yes, subject to a telecommunications easement. In addition, Dick said, a land swap between Mountainside and the town will take place tomorrow. Dick said the transfer of Hotel Road and the maintenance garage are direct transfers from MFW Associates to the town. The transfer of the mountain parcel and the parking area are from MFW to TPL, and then from TPL to the town. With the maintenance parcel, Ted said, the town gets the large underground storage tank, which he assumes we’ll remove at our expense unless the town or Mt. Ascutney Outdoors (MAO) can use it. Mike asked if the highway department will be responsible for maintaining the maintenance garage. Ted said no. Ted said we don’t have a lease agreement with MAO yet so we have not defined roles and responsibilities. Ted said there are some vapor issues with the garage that need to be resolved and there are grant funds available to assist with that. Dick asked if the highway department can make use of the garage. Mike said yes; he would like to use it to store equipment off-season, as would the fire department, after the building is secured. Until the vapor issues are resolved, Dick said, people can’t work inside the garage. Wreaths: Mike said he has wreaths to install on the “Welcome to West Windsor” signs.

11. Sign Town Clerk's orders – **Tom moved to sign orders. Ted seconded the motion, which passed unanimously.** Dick noted that the ambulance contract is for \$11,737 payable in four quarterly installments. **Tom moved to authorize the Chair to sign the ambulance contract for 2016. Ted seconded the motion, which passed unanimously.** Dick noted that he has not seen a police services agreement. Martha said the Police Chief wants to meet with the Selectboard but could not make it this evening.
12. Credit card policy – Cathy said she has the credit card application. There was discussion about who can use the card. Cathy said it should only be used by the Treasurer. Dick said he thinks there should be some sort of policy that the card can only be used for town business, authorized by the Selectboard or approved as part of the budget. Tom said he thinks initially the Treasurer should be the only one authorized to use the card. There was discussion about how to handle the purchase of Drop Box.
13. Schedule budget meetings – Ted asked Cathy if she will provide actual v. budget information for town, highway, water and sewer accounts. Cathy said yes. The Selectboard agreed to meet on December 23rd and 28th, at 8:00 AM on both days, and to start with highway personnel reviews on the 23rd, followed by budget discussions. The Selectboard agreed that there are vacation issues that still need to be discussed. **Ted moved to continue tonight's meeting until tomorrow morning at 8:00 AM to discuss vacation time and any other agenda items that are not dispensed with this evening. Tom seconded the motion, which passed unanimously.**
14. Review draft capital equipment budget for highway department – Ted and Tom have not had a chance to review the draft budget and will consider it as part of the budget discussions on the 23rd and 28th. Ted said if there's a surplus in the highway department at the end of the year, it would make sense to allocate it to capital equipment.
15. Village sewer project update – Tom said everything is going well and they may do the directional drill under Mill Brook this winter after all, with a different sub-contractor. Tom said he informed the contractor that we're hoping Route 44 will be paved in July and they were fine with that. Ted noted Sherry Barbour's question about appealing the Selectboard's decision to include the post office as an equivalent user. Ted said that decision was based on the Sewer Ordinance. Dick said it's his understanding that the determination is made based on gallons per day. Martha said it's also based on occupancy. Tom said you pay to flush. Martha said she sent Sherry the relevant portions of the ordinance. Dick said he is not aware of any avenue for appeal of the ordinance although he noted that the Selectboard will be meeting with the Utility Advisory Committee to review it.
16. Water system update – Dick noted the Public Service Board's approval of the sale of the water system to the town. Dick said, according to Paul Giuliani, all we need is to have Mark Blundell of Snowdance, LLC sign the assignment document.
17. Boundary Line Adjustment with Mountainside Condo Assoc. – Dick said he has signed the deed from the Town to Mountainside but he has not seen the deed from Mountainside to the Town. Dick said he has also seen the Release of Covenant. Dick noted receipt of the Act 250 permit today. Martha noted that the local permit was also issued today.
18. Take any actions necessary to finalize acquisition of mountain property from Trust for Public Land and/or MFW Associates, LLC – Dick noted that Chris Dugan, Nate Stearns and Matt Birmingham will be here tomorrow to review and record the documents so Matt can disburse the funds. **Dick moved to sign the Hotel Road Mylar. Ted seconded the motion, which passed unanimously.**

19. Take any actions necessary to finalize granting of conservation easement on Town Forest property to Upper Valley Land Trust and VT Housing & Conservation Board – None
20. Other Business – Dick noted receipt of the December Police Report. Mike noted that the Chester Police Department solved a slew of recent burglary cases, including some burglaries in West Windsor.
21. Approve Minutes - November 23: **Tom moved to approve the minutes of November 23 as amended. Ted seconded the motion, which passed unanimously.**
22. Recess – **At 8:45 PM, the Selectboard recessed the meeting until December 15th at 8:00 AM.**
23. Reconvene – **At 8:20 AM on December 15th, the Selectboard reconvened the meeting from the previous night.**
24. Vacation time – After discussion, **Ted moved to maintain the existing policy for now, which allows employees to carry five days of vacation time forward into the next year and, because of the considerable amount of extra work associated with the town’s acquisition of the mountain property, to pay Martha and Cathy for any vacation time that they are not able to use before the end of the year. Tom seconded the motion, which passed unanimously.**
25. Municipal Planning Grant agreement – The town has been awarded a grant of \$8,907 from the Agency of Commerce and Community Development to update its flood regulations and combine them with the zoning regulations in a unified bylaw. **Ted moved to authorize the Chair to sign the Municipal Planning Grant Agreement on behalf of the Selectboard. Tom seconded the motion, which passed unanimously.**
26. Project Completion & Certification Report (PCCR) – The town has been asked to file a revised PCCR for FEMA disaster #4140, which occurred in the summer of 2013. **Ted moved to authorize the Chair to sign the revised PCCR on behalf of the Selectboard. Tom seconded the motion, which passed unanimously.**
27. Adjourn – The meeting adjourned by consensus at 8:45 AM.

Respectfully submitted,

Martha Harrison