

WEST WINDSOR SELECTBOARD

Draft Minutes
January 16, 2012

Present: Glenn Seward, Tom Kenyon, Bruce Boedtke, Ted & Cindy Siegler, Chris & Nancy Nesbitt, Deb Shearer, Courtney McKaig, Laura Stillson, Steve Bodley, Glenn Drost & Claudia Sacuk, Elvin Kaplan, Al Keiller, Hal Pyke, Ted & Ava Emerson, Chris & Annie Callahan, Charlotte Callahan, John Abrahamson, Jim Lyall, Dave & Audrey Halpert, Jay & Jenny Bodnar, David Jaacks, Rad Dyke, John & Sue Greenall, Shelley Seward, Joel Schreiber, Alan Hudson, Amy Yates, Cathy Archibald, Martha Harrison

- 1) Call to Order – Selectboard Chair Glenn Seward called the meeting to order at 7:30 AM. **Glenn noted the presence of a number of residents and made a motion to allow public comment. Bruce seconded the motion, which passed unanimously.**
- 2) Public Comment – Ted said it is his understanding that the Selectboard is going to go into Executive Session to discuss a contract with Windsor for police protection. Ted said he wishes that Ralph Johnson could continue to provide police protection but that's not possible and he doesn't see a lot of other options. Ted said he and Cindy have been confronted by intruders in the night and he doesn't think a 45-minute response time from the state police is a reasonable alternative. Ted said there may be other areas, such as the sewer line, where Windsor and West Windsor could cooperate as well. Ted asked the Selectboard to consider signing the contract. Glenn said he thinks the bigger issue is how West Windsor looks to the future and solves some challenging problems including pollution problems in the village, a shuttered resort, and property owners at war with a utility. Glenn said West Windsor is at a tipping point and, until we take a fresh look at how we do things, we're tipping in the wrong direction. Glenn said if we don't address these issues quickly, we're going to have some real problems. Glenn said trying to come up with solutions has been frustrating due to the amount of "push back," which has led him to consider that maybe there needs to be a change of leadership. Glenn said he thinks the Selectboard has shown progressive thinking in tackling these problems but some people feel the Selectboard is taking the wrong tack. Glenn said he is willing to work as hard as he possibly can to solve problems, but if the town wants someone else, that's fine. Glenn said the Selectboard has had 69 meetings this year and needs more people to get involved. Glenn said if we don't tackle this utility problem, it is likely that the resort will continue to deteriorate. Glenn said he thinks the law enforcement contract with Windsor is great, but that doesn't mean that there won't be bumps in the road. Glenn said the state police have confirmed that they can't provide adequate service for West Windsor and they have endorsed the contract with Windsor as progressive, reasonable and fiscally responsible. Glenn said it's a 2-year contract; we're not marrying Windsor. If it doesn't work out, Glenn said, we'll look for other alternatives but we can't continue to do things the old way; we have to look beyond our borders for solutions. Elvin Kaplan said he has worked closely with the Selectboard over the past year, has been impressed with everyone's activity, and thinks the changes that Glenn outlined have to be done. Al Keiller said the Wastewater Committee has looked at the alternatives for wastewater treatment in the village and the most viable option for any future development is to connect to the existing sewer line to Windsor. Al said he would support any bridges we can build to further our relationship with Windsor. Al added that he thinks it's imperative to have police protection that's only a couple of miles away. Hal Pyke spoke in favor of acquiring the sewer line to Windsor. Amy said, as the owner of the General Store, police coverage is very important to her. Glenn reviewed the pros and cons of the various police protection options the Selectboard has considered. Glenn said in his view there is no downside to contracting with Windsor. Glenn said he found the anti-Windsor sentiment expressed at the last Selectboard meeting repulsive. Glenn said there are a lot of big issues that need to be addressed and it's going to cost money. According to Glenn, there are only 42 towns

(out of 262) that have a lower tax rate than West Windsor and we need to invest in our future. If we don't fix these problems, Glenn said, you're going to see the downtown area continue to deteriorate and the resort remain closed. Ted said that's why there are so many people here this morning; there is more than one sentiment in town. Ted encouraged Glenn to stay on as Chair and the Selectboard to move forward in a positive direction. Ted said he hopes the number of people who showed up today will give Glenn some level of comfort that there are a lot of people in this town who support the Selectboard's efforts to move this town forward. Those present applauded. Glenn thanked everyone for coming on a holiday morning when it's 10° below zero. Dave said thoughtful, careful leadership is very important and he would hate to see Glenn become frustrated and step aside. Dave said he thinks Glenn has done a fantastic job. There was more applause. Ted Emerson asked Glenn what kind of support he needs. Glenn said he needs people to weigh in on issues, even if they disagree. Glenn said it's troubling to have a few people influence the board. Glenn said if we can do something electronically so people can weigh in on issues without coming to a meeting, he would be all for that. Ted Emerson said many people are not available at 7:30 AM on a work day. Glenn said the Selectboard meets at various times of the day but they need to figure out a way to get more input. Courtney McKaig said she supports the Selectboard's thoughtful approach to difficult problems. Courtney added that she thinks Windsor Police Chief Steve Soares has an "outside the box" policing strategy that has been successful for Windsor and she supports West Windsor's collaboration with Windsor. Glenn agreed that Chief Soares is a true professional. Jay Bodnar said if Ralph is retiring and there's nobody coming behind him, why wouldn't West Windsor contract with Windsor? Glenn said there are some people who think there are better alternatives, such as relying on the state police and the Sheriff's Department, or creating our own Police Department. Glenn noted that no one on the Selectboard has any experience creating, staffing, or administering a Police Department so that doesn't seem like a reasonable option. Jay said he doesn't understand the push back. Glenn said, unfortunately, at the last Selectboard meeting, it was a discussion on the merits of associating with Windsor, not a discussion of law enforcement. Glenn said we have to get beyond that mentality and work through the issues to create a mutually beneficial situation. Jay asked if there is going to be a lapse in police coverage. Glenn said the Selectboard has been considering signing a contract with Windsor without a discussion at town meeting because Windsor needs time to get geared up. Glenn said because of the delay in signing the contract, there may be a lapse during which we will have to rely on the state police. Glenn said we have asked Windsor to provide an "out clause," which they are hesitant to do because they have to invest some money in this arrangement. Glenn said we have also asked for more specificity on roving patrols and performance review. Jen Bodnar said she thinks two years gives both towns enough time to evaluate the arrangement. Glenn said, once they receive a revised contract, the Selectboard will reconsider signing it unless there is a huge public outcry that forces them into waiting until town meeting. Amy asked if the Selectboard has the authority to sign the contract without a town vote. Glenn said yes, but added that he doesn't think there has been a Selectboard in the past that has been prepared to sign a \$70,000 per year contract without a town-wide discussion. However, Glenn said, this is an important issue and he is comfortable moving ahead. Bruce said he is comfortable with it as well although he did vote to table it at the last meeting because he wanted a clear understanding of the number of hours that would be provided and an "out clause" after one year. Tom read an article asking the voters to set a tax rate of 3 cents to establish a fund for police protection. Tom said the article will be on the warning for town meeting and, if it is approved, the Selectboard will control how it is spent. Tom said Windsor Town Manager Tom Marsh is comfortable waiting until after Town Meeting. Joel Schreiber asked if Windsor could still start covering West Windsor on July 1 if the contract is not signed until after town meeting. Bruce said no. Tom said he doesn't buy that. Joel asked how many police officers Windsor has. Glenn said he believes there are between 8 and 9 full and part-time people. Chris Nesbitt asked about the lead time between signing the contract and implementing the service. Glenn said when we had the

contract in front of us, a week ago, Windsor felt comfortable that they would have enough time to provide coverage upon Ralph's retirement. Al said it appears that Glenn and Bruce would like to go forward with the contract and Tom would like to wait until town meeting. Glenn said that's correct. Jay said he doesn't understand how the town can go even one day without protection. Glenn said the town would not be without protection, it would be without adequate protection in his opinion. There was a question about police protection in surrounding towns. Glenn said Reading relies on the state police with help from the Sheriff's Department. Weathersfield has a full-time police force. Hartland hires the state police for 20 hours per week to do roving patrols but, in an emergency situation, if the state police don't happen to be there already, they're in the same boat we're in. Glenn said if the contract between Windsor and West Windsor works out well, he thinks the regional police force concept will take shape more quickly. Tom said it is his understanding that if someone calls 911 and the state police can't be there within a certain number of minutes, Hartford Dispatch will call Windsor and Windsor will dispatch an officer to West Windsor so we're not going to be without protection. Chris asked about the purpose of the article. Tom said by establishing a fund, the money carries over from year to year. Tom added that the funds can be used for additional law enforcement expenses such as hiring the Sheriff's Department for the Fourth of July. Chris asked if the police protection fund is the Selectboard's recommendation or Tom's recommendation. Tom said Bruce and Glenn think it's important to sign a contract right away but he would rather have the voters weigh in and approve a police protection fund. Amy said if two of the three Selectboard members are in favor of signing the contract, why isn't it happening. Tom said if it doesn't turn out right, at least the voters have had a say and told us how much money to put toward police protection. Amy said the voters elect the Selectboard to make these decisions for the town. Tom said if the voters approve 3 cents on the dollar it gives the Selectboard a good idea how much money they're willing to put into police protection. Someone said we need to have coverage as soon as possible after Ralph retires. Glenn said he wants to make it clear that West Windsor will not be without police protection at any point but he and Bruce want a clear structure in place that they can rely on. Hal asked what happens if the voters vote down the police protection article. Hal suggested putting the money for the contract in the budget, which the voters vote on anyway. Glenn said he feels obligated to provide a safe community and would rather err on the side of caution. Glenn said if he gets thrown out of office because of his decision on this issue, he can leave with a clear conscience. Sue Greenall asked if we already have a budget for police protection. Glenn said we currently budget \$30,000 per year. Sue said she doesn't understand why we would vote to establish something that we already have. Dave asked if there is a significant difference in cost among the various options because it sounds like we're going to have to spend up to \$70,000 anyway so why should we wait for town meeting. Joel said we would need at least one year to get a new constable that meets current standards. Ted said if Tom's article gets voted down, then we won't have money in the budget for police protection; if you put the money in the budget now, then we'll know we have the money for whatever police protection the Selectboard thinks is appropriate. Ted said the Selectboard is elected to make these kinds of decisions and he would like them to make the decision now. There was applause. Chris Callahan asked if this article has been approved by the Selectboard. Glenn said he just saw a petition for the article at the store this morning. Tom said more than 50 people have signed the petition. Chris said municipalities don't finance police departments with a separate fund; the police department is funded through a line item in the budget. Tom said theoretically someone who is qualified could run for Constable at town meeting, get elected, and be our police force. Chris said that would be through the town budget, not a separate fund. Tom said the town votes on a separate article to provide a sum of money to support the fire department. Chris said the town contracts for building maintenance and a number of other things through the budget. Amy asked Tom why he doesn't want a contract with Windsor. Tom said he's not against contracting with Windsor but he wants the voters to have a say. Amy said police coverage is a budget item and the Selectboard members are the

people elected to prepare the budget. Tom said the other people in town, who aren't here this morning, have a right to participate and that's what town meeting is for. Ted Emerson encouraged the Selectboard to vote this item through. Elvin said Tom is advocating direct democracy and those present are advocating representative democracy. Elvin said the Selectboard members were democratically elected and it's their responsibility to go forward with this now. John Abrahamson said anytime you bring a bunch of people into a room and say something like "3 cents on the dollar," you're opening a can of worms. John said if we already have \$30,000 in the budget and we need \$70,000 to contract with Windsor, why do we need a separate fund with \$90,000 in it. John said we already know that we're not going to get someone for \$30,000; we're going to spend more money anyway, so why open up that can of worms at town meeting when we have a reasonable board that can make that decision. Glenn said in this first year, Ralph will be working until June so we're not going to wipe out that \$30,000 and put it all toward the \$70,000 contract. Going forward, Glenn said, Ralph would like to continue as Constable serving civil papers, dealing with animal issues and presiding over the ballot box. Dave Halpert said public safety is an important decision that should be made by the people who spend time to investigate it; it should not be influenced by the emotions that come up at town meeting. Dave said he thinks the Selectboard should just vote on the issue. There was applause. Tom said part of the purpose of town meeting is for the Selectboard to educate the public about the intent of the articles. Glenn said, personally, he's hesitant to leave issues like this for town meeting because we can't educate everyone on town meeting day; there's too much going on. We need to continually educate the public, Glenn said, so we can deal with issues on a timely basis and not just on the first Tuesday in March. Tom was asked what he would do if the article were voted down at town meeting. Tom said he would investigate all the options because we are required, by law, to have police protection. Tom said all the options have not been investigated and he doesn't know what the answer is. Joel said action is needed now and we have to look forward not backwards. Tom said some people may ask the Selectboard why they didn't warn an article about purchasing the sewer line. Tom said there are too many things that the Selectboard doesn't know yet. Jay said this isn't a piece of equipment, this is public safety and he knows that there will be coverage but there will be 45 minutes of waiting. Tom said after the attack on the goats, there were 4 state troopers here in no time. John said it wasn't "no time;" it took them an hour to get there. Jay said he doesn't want to learn the hard way, when something really bad happens, that 45 minutes is the difference between life and death. Tom said it's not like we're going to have an officer on patrol all the time. Glenn agreed that we're contracting for about 14 hours per week of roving patrols and, other than that, you're not going to see a police officer unless you pick up the phone. Glenn said the difference is that there will be someone on the other end of the phone 24 hours a day, 7 days a week. Tom said if Windsor is tied up with two situations and they can't free up an officer, they're going to call the state police. Tom was asked if he is holding out hope that there is another Ralph somewhere in town. Tom said there are 150 state troopers retiring in the next year or two. Tom said the town tried to recruit someone part-time who ultimately backed out but if we're willing to have someone almost full-time, supplemented by the state police, that's something we should talk about. Dave said Tom's statement that the state police responded to the goat attack in no time is exactly why this should not come up at town meeting. Dave said statements like that, with no foundation in fact, come up at town meeting and people vote on an incredibly important public safety issue based on inflammatory statements. Dave said the Selectboard is charged with making this decision because they put thought and research into the issue. Tom said we try not to be governed by groups showing up saying "you have to do this." Annie Callahan said this should be a safety issue not a political issue and, if it goes to town meeting, it may become a political issue.

- 3) Executive Session – **Glenn made a motion to go into Executive Session to discuss contract issues with Windsor and with Aldrich & Elliott. Bruce seconded the motion, which passed unanimously.** After discussion, **Glenn made a motion to come out of Executive Session. Bruce seconded the motion, which passed unanimously.** Glenn noted that no action is

necessary on the law enforcement contract. Tom said it is his understanding that the Selectboard is instructing the Chair to get a revised contract from Windsor for review. Glenn agreed. Glenn said we have a contract from Aldrich and Elliott (A&E). **Tom made a motion to approve the contract with A&E and authorize the Chair to sign it. Bruce seconded the motion, which passed unanimously.**

- 4) Consider board and committee resignations – **Glenn made a motion to table this item. Bruce seconded the motion, which passed unanimously.**
- 5) Budget – Glenn said we're about \$15,000 in the hole. Cathy Archibald said \$15,475.86. **Tom made a motion to address the indebtedness when we set the tax rate. Bruce seconded the motion.** There was discussion about expected reimbursement for Irene-related expenses. Cathy said she set up \$442,000 as receivable. Tom said it is his understanding that the state is going to cover the difference between costs and FEMA reimbursements for some towns. Tom wondered how we find out if we're one of those towns. Glenn said he has not heard anything about state reimbursements but it is his intent to inquire about that this week. Tom suggested contacting Alice Nitka. Bruce asked if we have been reimbursed at all. Glenn said we have received a small amount. Cathy said we got another \$64,000 on Friday. Glenn asked if some of the 2012 budgeted expenses should be reduced to allow for the expenses associated with the A&E contract. Tom said no. Glenn said the total amount of the A&E contract is \$6,500. Bruce agreed that no adjustments are necessary. Regarding First and Second Constable expenses, Tom suggested leaving the amounts the same as last year. In that case, Cathy said, total expenses are \$420,357. Cathy asked the Selectboard about changes to the warning for Town Meeting. Glenn said there is a petition related to law enforcement and he needs to get input on it from the town attorney. Glenn said if we move forward with a contract with Windsor, how do we reconcile that contract with this article. Bruce said if we sign a contract, we're obligated even if it gets voted down. Cathy asked the Selectboard if they are thinking about putting the \$70,000 as a line item and having it under Article 5. Glenn said yes. Tom said \$70,000 only allows for the contract with Windsor; it doesn't allow for anything else. Tom suggested \$75,000. Glenn and Bruce agreed. Cathy asked how to code the invoice for the soil borings. Glenn suggested including the invoice with the other FEMA expenses. Bruce agreed.
- 6) Town Clerk's orders – **Tom moved to sign the Town Clerk's orders. Bruce seconded the motion, which passed unanimously.**
- 7) Town Meeting warning – **Glenn moved to approve the Town Meeting warning, subject to legal review. Bruce seconded the motion, which passed unanimously.** Tom noted that the Nilson article intentionally does not call for raising taxes to purchase the property.
- 8) Other Business – Heaters: Tom recommended new electric heaters for the Town Clerk's office. Glenn and Bruce agreed. Zoning regulations: There was discussion about the approval process.
- 9) Adjourn – **Tom moved to adjourn at 10:00 AM. Bruce seconded the motion, which passed unanimously.**

Respectfully submitted,

Martha Harrison