

West Windsor Selectboard  
Draft Minutes  
July 13, 2015

Present: Dick Beatty, Tom Kenyon, Ted Siegler, Cathy Archibald, Mike Spackman, Bruce Boedtke, Erik Boedtke, Laura Stillson, Martha Harrison

1. Call to Order – Selectboard Chair Dick Beatty called the meeting to order at 6:30 PM.
2. Changes or additions to the agenda – tree warden’s report, agreement for video inspection of sewer lines, authorization to use Davis Foundation funds for BRELLA application, Act 250 Schedule A, Base Lodge, Jane’s Trust
3. Sign Town Clerk’s orders – **Tom moved to sign orders. Dick seconded the motion, which passed unanimously.**
4. Town Clerk/Treasurer’s report – None
5. Liquor license application – Cathy had two applications: one for the rehearsal dinner on Coaching Lane on July 24 from 7:00 until 11:00 PM, and one by Long Trail for the VT Mountain Bike Festival on July 31 and August 1 from 2:00 until 10:00 PM. **Tom moved to approve the applications. Ted seconded the motion, which passed unanimously.**
6. Set municipal tax rate – Cathy provided the calculations she used to come up with the tax rate needed to cover the budget approved by the voters. **Tom moved to set the 2015 municipal tax rate at 14 cents for the town, 23 cents for the highway, 4 cents for appropriations and 4 cents for Act 144, for a total of 45 cents per \$100 of valuation. Ted seconded the motion, which passed unanimously.**
7. Announcements/Public Comment – None
8. Public Assembly application: Siegler – **Tom moved to approve the application. Dick seconded the motion, which passed with Ted abstaining.**
9. Highway Foreman’s Report – Extended warranty: Mike asked the Selectboard to approve the expenditure of \$4,800 to extend the warranty on the new truck from one year to five years. **Tom moved to purchase the extended coverage with the funds to come out of the Equipment Fund. Ted seconded the motion, which passed unanimously.** 100 Mile: Mike said the Highway Department has mowed the roadside and graded the road for the race this weekend. Mowing: Mike said it will take two or three more days to complete the first round of mowing the town roads. Ted asked Mike if he would be willing to contract with the state to mow Route 44 since they never get around to it until after the poison parsnip has gone to seed. Mike said he will discuss it with District 4. Culverts: Mike said the Highway Department is continuing to install culverts and noted that another black plastic culvert has failed. Grading: The second round of grading is nearly complete. Computer: Mike said the Highway Department needs a “new” computer and suggested getting one from WinCycle. The Selectboard agreed.
10. Consider signing MOU re: Deer Run Road (if available) – See item #12
11. Reports from Conservation Commission (CC) and Town Forest Committee (TFC) on Draft Conservation Easement for Town Forest – Ted said the CC is pretty comfortable with the easement and only suggested minor changes. Laura said the TFC reviewed the easement with John Roe of the Upper Valley Land Trust (UVLT) last Wednesday and is meeting to discuss it this Wednesday. Laura said the TFC discussed with John how to enforce violations of the easement but there were no major concerns. Ted said the CC has recommended that the easement be accepted with the minor changes they proposed. Laura said the TFC will make a recommendation on Wednesday. Ted noted general agreement that there should be no parking area at the gravel pit. Bruce asked if there will be additional opportunity for public comment. Ted said when we get a draft that the VT Housing & Conservation Board (VHCB) and UVLT have approved, the Selectboard should review it with John Roe at a public meeting, so there will be another opportunity for comment. Bruce noted that the Town Forest has old growth forest, rare

species and wildlife corridors and should be left as “natural” as possible. Bruce said he is concerned about the snowmobile trail connecting the resort to Kimball Farm Road through the Town Forest being open to the general public. Given the proximity to I-91, Bruce felt that the trail could end up getting too much use, with negative impacts on the town forest. Bruce also had concerns about allowing back-country skiing outside of the intensive use area. Dick was concerned that deleting permitted uses from the easement would restrict future flexibility. Dick said it would be easier to make changes to the Town Forest Management Plan, which has to be reviewed and updated every ten years, subject to approval by VHCB and UVLT. Regarding ATVs and snowmobiles, Tom said the town is hoping to acquire the acreage behind the talc plant and he thinks it would be a good place for motorized uses.

12. Consider signing purchase & sales (P&S) agreement with Trust for Public Land (TPL) – Dick said he is concerned about having flexibility with regard to the conservation easement, which is attached to the P&S agreement. Dick was also concerned about the telecommunications easement being acceptable to the town. Dick said Kate revised the language in the P&S agreement to reflect these concerns, as well as the Selectboard’s concern about the Memorandum of Understanding (MOU) regarding Deer Run Road, but she specified that the town has to approve all the documents by August 15, 2015, and he’s not sure that’s realistic. Dick suggested deferring action on the P&S agreement until the next Selectboard meeting. Dick noted that there is a subdivision hearing tomorrow night based on our understanding that we have an MOU with Mountainside and we don’t have that. Dick said he thinks it’s time to set a deadline for Mountainside to sign the MOU. Tom said Martha shared with him a timeline for getting the work done on the water system and, if we’re not already out of time, then we’re very close. Ted said he thinks we’re already out of time. Dick said he would like to ask Matt to contact Nate Stearns and give him a deadline of the end of this week. Ted said he is in favor of that. **Ted moved to withdraw the Selectboard’s approval of the MOU if Mountainside has not made a commitment to sign it by this Friday, July 17, 2015. Tom seconded the motion, which passed unanimously.** The Selectboard also agreed to table consideration of the P&S agreement with TPL.
13. Town Repeater situation – Tom said there are problems with the town’s repeater on the Stillson property. Tom said he got a price of \$4,238.30 to replace it. Mike agreed that the repeater should be replaced. **Tom moved to approve the expenditure of \$4,238.30 to replace the town’s repeater on the Stillson property. The motion passed without objection.**
14. Annual inspection of police radio on Ascutney – Tom said the radio is supposed to be inspected every year or two and it hasn’t been done for a number of years. Ted asked who is responsible for inspecting it. Mike said Emergency Management Coordinator Jim Kenyon should decide who to hire to inspect it. **Tom moved to refer the matter to Jim Kenyon. The motion passed unanimously.**
15. Village sewer project update – Phillips property: Tom said Ken Phillips is opposed to signing the easement. Ted asked if the town needs an easement across the Phillips property for the main sewer line. Tom said he thinks we do because of the directional bore under Beaver Brook. Regarding the sewer connections to his house and mobile home, Tom said according to the ordinance, Mr. Phillips will have to pay the annual fee whether he connects or not. There was discussion about whether or not the design can be altered to bypass the Phillips property. All agreed that design alteration determinations should be made by Aldrich + Elliott. Landino: Tom said, regarding the Landino property, Tom Urban has requested a sewer system connection for his barn, which may be possible by extending the pipe that serves the Library. MFW: Dick noted that MFW has requested that the town cover the cost of his attorney and consultant reviewing our sewer easement and plans to make sure there’s no impact on his solar project. MFW has also asked the town to act on his request to disconnect the Cunningham Building. Dick said the Cunningham Building has been disconnected for a while. Martha said she thinks the Selectboard has already approved the disconnection of the Cunningham Building. Dick asked Martha to contact MFW for an estimate of the costs associated with the requested reviews. Resolutions:

Martha said Matt is going to draft resolutions for the various non-profit organizations in the village authorizing someone to sign the easements on behalf of the organizations. Easement signing: Martha said two easements have been signed; eight others are ready to be signed; and another seven are ready but need subordination agreements. Dick asked if there are any other issues with the easements for the sewer main. Tom said there are no other issues that he is aware of. There was discussion about alternative designs. Martha noted that we have already gone out to bid with the current design. Martha said she will contact Joe Duncan and ask him if the sewer main is outside the right-of-way on the Phillips property and, if so, if there are any re-design options. Letter re: pump station #2: Martha said a couple of weeks ago, she asked Joe Duncan to draft a letter for Tom Marsh to sign indicating Windsor's willingness to address the issues with pump station #2, but she hasn't heard back from him.

16. Other Business – Base Lodge: Ted said, according to Tom Kennedy, there are funds available to cover 100% of the costs of assessing the Base Lodge and tearing it down. Ted said we would need an option agreement with MFW in order to do the environmental assessment and we would need to purchase the property, or sign a P&S agreement, before tearing it down. Ted said Glenn Seward is willing to act as an intermediary for the town in discussing this concept with Dan Purjes. Ted said, according to Glenn, a preliminary assessment was done by Harper Environmental and all they found was asbestos, which is a minor issue. Ted said he thinks we should continue to explore this option. Dick agreed. Martha was concerned about accepting any liabilities associated with the Base Lodge. Ted agreed and said the P&S would address all those issues. Jane's Trust: Martha said Kate Wanner would like the town to be a co-applicant with TPL for a \$125,000 grant from Jane's Trust, with \$75,000 for the acquisition and \$50,000 for programmatic activities. Tom said he doesn't see any downside. Laura asked if the Selectboard would be okay with using some of the funding for historic and interpretive trail signage. Ted said it would be okay as long as the signage meets the restrictions included in the conservation easement. Video inspection of sewer lines: Martha noted that the Selectboard approved signing the agreement at their last meeting. Dick signed the agreement on behalf of the Selectboard. Tree Warden: Tom said three trees were supposed to be removed for the EC Fiber project on Banister Road. Tom said two of them were removed but one dead ash still needs to be taken down so he has not authorized payment yet. Tom said there are an additional 52 trees that need to come down on Rush Meadow Road but he'd like to get a couple of estimates before proceeding. Davis Foundation funds: **Ted moved to approve the use of \$500 from the Davis Foundation grant for the BRELLA application fee. Tom seconded the motion, which passed unanimously.** Bible Hill culvert: Tom asked if we have heard anything about our grant application to replace the culvert on Bible Hill. Mike said no. Schedule A, Act 250: Martha said we need to sign a revised Schedule A for our Act 250 subdivision application. **Tom moved to authorize the Chair to sign. Ted seconded the motion, which passed unanimously.** UST Inspection: Mike said there will be an underground fuel tank inspection on Thursday morning at the Town Garage.
17. Approve Minutes - June 22 & July 1: **Tom moved to approve the minutes of June 22 and July 1 as written. Ted seconded the motion, which passed unanimously.**
18. Adjourn – **Ted moved to adjourn at 8:05 PM. Tom seconded the motion, which passed unanimously.**

Respectfully submitted,

Martha Harrison