

West Windsor Selectboard
Draft Minutes
June 22, 2015

Present: Dick Beatty, Tom Kenyon, Ted Siegler, Bruce Boedtke, Brian Quirk, Deb Shearer, Jim Lyall, Laura Farrell, Bill Stillson, Tom Kennedy, Martha Harrison, George Calver (VT Standard)

1. Call to Order – Selectboard Chair Dick Beatty called the meeting to order at 8:00 AM.
2. Changes or additions to the agenda – None
3. Announcements/Public Comment – None
4. Formation of Community Not-for-Profit Organization – Laura Farrell introduced the members of a steering committee that formed to establish a non-profit organization to manage recreational activities in the town forest and on adjacent land. Steering committee members present included Brian Quirk, Deb Shearer, Jim Lyall and Laura Farrell. Committee members who were not present include Laura Stillson, Leslie Levesque, Linda Quirk and Rob Calhoun. Laura had a hand-out with the proposed mission statement for the organization, which they are calling “Mt. Ascutney Outdoors.” The committee is hoping the town will lease the footprint of the town forest and the adjacent Mt. Ascutney land to M.A.O. for recreation, education and environmental activities. The committee would like the Selectboard to sanction M.A.O. as the non-profit group that should move forward with a plan and legal agreement. Laura said the committee hopes to have 501(c)(3) status by the date of the land purchase. The committee is currently developing a list of candidates for the Board of Directors, and creating bylaws and a conflict of interest policy. Laura noted the organizational chart in the hand-out, and the roles and responsibilities of the various positions. Laura said the plan is to also have advisory committees who focus on skiing, mountain biking, etc. Laura said there is a fundraising network in place, ready to act once the land has been acquired and the organization has established a relationship with the town. Laura noted that she is currently employed by Cochran's Ski Area. There was discussion about the budget, staffing, trails, equipment and programs at Cochran's, which is a good model for a community ski area in West Windsor. Laura also mentioned Northeast Slopes and Hard'Ack, which don't have snowmaking or lights and are completely run by volunteers. Dick asked Laura if she envisions the lease covering the existing town forest as well as the land to be acquired. Laura said yes. Dick asked about the group's vision. Laura said it's important to proceed in stages. Laura said the group is looking at elevation changes and determining how long the lifts will need to be. They are also looking at available lifts. Laura said they are hoping to get a rope tow in place for this winter. Laura described other possible lift configurations. Laura said a chairlift will be needed to get above mid-station. Jim said Orange Lake would like the lower section to be connected with the upper section. Bruce asked about the East Chair. Martha said Glenn had talked with the owner about him giving the lift to the non-profit in exchange for the taxes due on it. Laura said if the organization did acquire the East Chair, they would probably take it down, fix it up and then re-install it. Laura said there are other chairs for sale right now. Ted noted the need to figure out the relationship between the town and the non-profit organization in managing the conservation easement. Jim said the Board of Directors will include someone solely responsible for conservation. Ted asked if the non-profit would also be responsible for managing timber cutting. Jim said they have not talked about that. Ted said he envisions timber cutting providing some of the funding for managing this operation. Laura asked if a forester could manage the timber cutting. Ted said he thinks it would make sense to have a forester manage the forestry and ecological aspects of the plan, including the management of invasive species. Jim said they are envisioning that the Board of Directors would include a member of the Town Forest Committee or the Conservation Commission. Ted said he's not sure it's feasible for the town to rely on the non-profit to manage forestry and invasive species. Deb said she doesn't see M.A.O. managing the invasive species but she does see them educating people about them and providing a group of

volunteers willing to help eradicate them. Ted said the Conservation Commission is going to meet on June 29 to review the conservation easement. Laura said it shouldn't be difficult to figure out who is going to be responsible for what and how they're going to interact. Tom said he thinks the Selectboard should ultimately be responsible for the conservation easement. Tom said he thinks the town should vote on leasing the land to a non-profit. Ted agreed that a lease of this magnitude should be authorized by the voters. Jim said he has an agreement that Peter Vollers drafted for Glenn Seward. Tom said there may be questions about tax issues. Laura said Cochran's is a non-profit but the land is owned by the Cochran family and the non-profit pays the family every year to cover the taxes. Ted said once the town owns the land, we shouldn't have to pay taxes on it, even if it's leased to a non-profit. Tom asked if the non-profit would be asking for money at Town Meeting to help run the facility. Jim said they haven't discussed that. Ted said he would discourage it. Dick asked the committee to prepare a draft lease and a budget. Laura said yes but asked for an endorsement from the Selectboard before they proceed too much further. Tom said sub-leases should not be allowed without permission from the Selectboard. Deb asked when people will be able to review the draft conservation easement. Ted said the Conservation Commission (CC) and the Town Forest Committee will review it and make recommendations to the Selectboard. Martha said she will talk with John Roe at the Upper Valley Land Trust about posting the easement on the town website. Tom asked if the non-profit envisions having a lodge. Brian said they will address that in their budget. Dick noted that the old maintenance facility will not be subject to the conservation easement. Brian asked the Selectboard to recognize the steering committee as the group of record that will proceed to create a non-profit organization for the purposes discussed. The Selectboard agreed to recognize the committee. Laura said she would like to meet with the Selectboard for guidance. Ted suggested that Laura attend the CC meeting on June 29. Laura agreed. Regarding the conservation easement, Ted said the town will have to answer to the Upper Valley Land Trust and the VT Housing and Conservation Board.

5. State grant funds for demolition of Base Lodge - Tom Kennedy said after the fire at the Base Lodge, he approached the Agency of Commerce about CDBG funding for demolition. Tom said there are questions about ownership but there could be eligibility under the "slums & blight" category. Tom said he is working on a large "s&b" project in Springfield, which will use up all the available funding so West Windsor needs to decide soon if they're interested in pursuing funding. An environmental review would be needed in order to proceed. Tom said the RPC can look into this for the town. Dick asked if the current owner/lessee could participate. Tom said he will have to talk to the state about that. Tom Kenyon asked if West Windsor would get the land the Base Lodge sits on in exchange for cleaning it up. Ted said it's the logical place for a lodge and there is a water system pump station in it. Ted said maintaining the existing water pumps might change the cost structure of the improvements to the water system. Ted said we could approach the owner about acquiring the lodge property in exchange for taking the building down, if there is grant funding available to take it down. Ted said if the RPC is willing to move this forward on the town's behalf, he doesn't see any downside. Martha said she doesn't think the state would provide 100% of the funding. Dick said maybe the funding would mitigate the costs for the current owner to get the building razed. Tom said he will look into it and report back on funding availability and match requirements. Bruce asked if the recently completed Phase I report included the Base Lodge. Ted said no. Ted said he thinks the presence of a blighted building will interfere with the plans of "Mt. Ascutney Outdoors." Dick said the building will have to be fenced off as an attractive nuisance, which will increase the insurance liability. Brian asked about zoning regulations. Ted said he thinks the town will have to get involved eventually whether we want to or not. Brian asked who would be responsible now if someone got hurt. Dick said the owner of the building would be responsible. Tom said we don't want any part of our water system anywhere near that building. Ted said if the building were demolished maybe the water issues would change. Deb noted that the voters authorized the town to acquire the Base Lodge property. Ted said the town can't just let it sit there. Dick said he's not sure if Vermont law gives towns the

authority to require buildings to be torn down. Tom Kennedy said Springfield has ordinances for dealing with derelict buildings. Ted said West Windsor could put an ordinance in place. Martha said there are leases and liabilities associated with the Base Lodge that would have to be considered. Ted agreed. Bruce asked about the environmental study that has to be done. Tom Kennedy said the RPC can hire someone to do that. Ted said the Phase I study on the property being acquired identified \$60,000 of work that needs to be done so the town and TPL are putting together a grant application to have that done. Tom Kennedy said he will get more information.

6. Highway Foreman's Report – None; foreman not present.
7. Consider signing MOU re: Deer Run Road (if available) – MOU not available.
8. Tax exempt status of leased property – The Selectboard agreed that it's clear from the lease that the town has to pay the taxes.
9. Village sewer property connections – Tom said the owners of the mobile home want it to be connected to the sewer system. Ted asked if connected users have to pay a fee for each connection. Martha said she and Tom talked about sending a letter to each property owner with the easement map for the property attached and the letter could specify that there will be a fee for each connected property. Martha said the letter will also ask property owners with questions or concerns to contact Tom so issues can be resolved before they're asked to sign the easement. Tom said the Hoisingtons haven't made up their minds about connecting. Martha said the cost of connecting them later would be about \$20,000 because they need a grinder pump. Ted asked if they have a choice. Martha said A+E's plans don't currently include the Hoisington property because they're about 450' from the nearest manhole so, even though they're less than 200' from the line, it's a forcemain so they can't connect to it directly. If they want to connect, A+E will change the design to include another manhole and a grinder pump. Ted asked if they're required to connect. Martha said the sewer ordinance requires connection for properties within 200' of the line. Ted said the connection costs are included in the project so the only cost to the property owner is the annual sewer fee. Tom and Dick agreed. Martha said she doesn't have an easement map for the Hoisington property since A+E wasn't planning to include them. Ted said we either need to change the ordinance or require them to connect. Tom said it's in their best interest to connect so he will go talk to them this evening.
10. Review plans to finalize easements for village sewer project – Dick asked about the title searches. Martha said our title searcher has done four of them so far and anticipates finishing this week.
11. Review plans to address issues with existing sewer pump stations – Martha said Joe met with Robert Pelosi and others and worked out the issues. Windsor apparently doesn't need a generator but does have some other work that needs to be done, and West Windsor will keep the storage tanks and install a generator at Pump Station #1. According to Martha, Joe thinks we're in good shape to get the state to sign off on the design. Dick asked if Windsor is going to provide the state with a letter documenting their plans to comply with the state's directives. Martha said she will clarify with Joe what we need from Windsor.
12. Approve A+E's plans to proceed with bid procurement – Tom said A+E will need to revise the design to accommodate the mobile home and the Hoisington property before advertising for bids. Dick asked Tom and Ted if they are in favor of proceeding with the bid advertisement in spite of the fact that the state has not approved the design. **Ted moved to proceed. Tom seconded the motion, which passed unanimously.** Dick noted that the town's risk is limited to the amount of A+E's bid services.
13. Consider proposal for video inspection of remaining sewer lines – Martha noted that we don't have a contract for the video inspection work from A+E yet. Dick noted that the Utility Advisory Committee has recommended that the town proceed with the inspection. Ted asked if the cost is covered by the users. Dick said yes. **Ted moved to approve proceeding with the inspection as recommended by the UAC. Tom seconded the motion, which passed unanimously.**
14. Review AT&T telecomm easement plans – Tom said the location is not as discussed at the site visit. Dick agreed that we should ask AT&T's site specialist to move it to the agreed on area. Ted

- asked about potential revenue to the town from the tower. Dick said he didn't see anything about that in the easement. Dick said he will inquire with Kate Wanner.
15. Sign Authorized Representative forms for village sewer project – The Selectboard signed forms designating Tom as the Authorized Representative and Martha as the Alternate Authorized Representative for the village sewer project.
 16. EC Fiber Interlocal Contract – Dick said the most recent version does not reflect the town vote. Ted noted that Fairpoint is refusing to do the make-ready work for the project and suggested that the Selectboard write a letter to the PSB. Dick said he will talk to Dave Halpert about a letter. Martha said she will get the most recent version of the contract from Matt Birmingham and Paul Giuliani. **Tom moved to authorize the Chair to contact the Public Service Board in this matter. Ted seconded the motion, which passed unanimously.**
 17. Town Hall Update – Tom said the addition to the balcony is still in the works.
 18. Tree Warden Update – Tom said there are two trees that need to come down before EC Fiber strings fiber on Banister Road. Martha asked Tom if he is planning to walk the route with Chris Callahan to show him which trees need to come down. Tom said yes. Martha said we also need to identify the property owner on the east side of the road.
 19. Approve Minutes: June 9, June 11 and June 15 – Tom moved to approve the minutes of June 9th, June 11th, and June 15th. Dick seconded the motion, which passed with Ted abstaining.
 20. Tree removal invoice – Cathy said the Knox invoice was paid last week.
 21. Sign Town Clerk's orders – **Tom moved to sign orders. Ted seconded the motion, which passed unanimously.**
 22. Town Clerk/Treasurer's Report – Operating year for sewer system: Cathy asked about the operating year for the sewer system. Martha noted that Windsor sets their rates for July to June. Cathy expressed a preference for using the calendar year. The Selectboard agreed. New computer: Cathy said the sewer files were damaged while being uploaded to the new computer and she doesn't know whether to try again or re-enter the data by hand. The Selectboard said it's her decision. Ted suggested creating a dropbox for the town. Martha said the town does have Carbonite for backup.
 23. Other Business - None
 24. Adjourn – **Dick moved to adjourn at 10:05 AM. Tom seconded the motion, which passed unanimously.**

Respectfully submitted,

Martha Harrison