

## WEST WINDSOR SELECTBOARD

Draft Minutes  
March 18, 2014

Present: Glenn Seward, Tom Kenyon, Bruce Boedtke, Cathy Archibald, Cathy Boedtke, Laura Stillson, Mark Lather, Erik Schutz, Jim Lyall, George Calver (VT Standard), Martha Harrison

- 1) Call to Order – Selectboard Chair Glenn Seward called the meeting to order at 6:30 PM.
- 2) Changes or additions to the agenda – TAC, Town Hall celebration, Executive Session: Personnel, schedule meeting to discuss current projects and bond vote timing, request for testimony on H. 441, MAPP, consider A&E proposals for upper loop evaluation and for an on-call contract
- 3) Sign Town Clerk's orders – **Tom moved to sign orders. Glenn seconded the motion, which passed unanimously.**
- 4) Liquor licenses – Cathy had two liquor license applications from the resort and one from the Brownsville General Store. **Glenn moved to approve and sign the applications. Bruce seconded the motion, which passed unanimously.**
- 5) Town Clerk/Treasurer's Report – Cathy had a written request from the VT Standard for the amount of money spent on legal fees, to whom the fees were paid, and for what purpose. Cathy said copies of the bills were requested. Glenn said the request should be more specific about the dates but otherwise he has no problem with providing copies of legal bills. Tom and Bruce agreed.
- 6) Public Comment – Tom thanked everyone for supporting his re-election to the Selectboard on Town Meeting day. Regarding Orange Lake's application for a path and picnic area in the floodplain, Tom said the public should be aware that, after Irene, it's going to be difficult to put anything in the floodplain without going through zoning and Act 250. Tom also voiced his support for the village sewer project. Town Forest update: Cathy Boedtke said the Town Forest Committee (TFC) has the RFP for the town forest boundary survey ready for the Selectboard to send out. Cathy said the TFC also adopted the revised mission statement. Regarding the Act 250 amendment, Cathy said the TFC has a narrative ready regarding the Bicentennial Trail and the "Sitting Duck" trail. The TFC is trying to determine who owns the land on which the "Rock and Roll" trail is located so they can get permission for it and, hopefully, include it on the Act 250 amendment application. Regarding handicapped access, Cathy provided the Selectboard with some information, including an example of an ADA compliant sign. Cathy said the TFC would like the Selectboard to get input from Town Counsel and develop some recommendations for the TFC. Cathy said, except for the gravel pit trail, most of the trails on the mountain could not meet accessibility requirements. Cathy said the TFC agreed that, if that trail were to be designated "accessible," it should stop short of the snowmobile bridge. The Selectboard agreed to consult with Town Counsel. July Fourth update: Cathy said there will be fireworks on July 3<sup>rd</sup> and festivities on July 4<sup>th</sup>. Cathy described the committee's fundraising efforts and said they would like to put the thermometer up after the snow melts. Cathy said Adam Boyce wants to display a gas engine with a water pump, which will be roped off for safety purposes. Cathy said they are also planning to have a 50-50 raffle and are trying to get DHART to come. Town Hall Centennial: Tom said the dedication of the Town Hall was in October of 1916, so he suggested that the centennial celebration be in 2016. Glenn and Bruce agreed.
- 7) Application for Public Assembly: Lucy MacKenzie Humane Society – **Tom moved to approve Lucy MacKenzie Humane Society's application for an Italian supper on April 5<sup>th</sup>. Bruce seconded the motion, which passed unanimously.**
- 8) Application for Public Assembly: VT Mountain Bike Festival – Erik said he has talked with the Windsor Police Chief and left a message for Mike Spackman and he plans to contact the FAST Squad regarding the same coverage as last year. Erik said they will not serve alcohol this year and the vendors will be moved down near the main parking area. Jim said they're also trying to get a power drop so they don't have to use a generator. **Glenn moved to approve the application for public**

- assembly by Sports Trails of the Ascutney Basin (STAB) and the Vermont Mountain Bike Association (VMBA) for the Vermont Mountain Bike Festival on July 11–13, 2014, contingent upon receipt of letters from the Fire Department and the FAST Squad. Bruce seconded the motion. Bruce asked about liability insurance. Erik said the event is covered under their event insurance, with the town and Snowdance as “additional insureds.” Glenn said Snowdance should be changed to MFW Associates. **Glenn called for a vote on the motion, which passed unanimously.**
- 9) Request re: Class 4 section of Rowe Hill Road: Mark Lather – Mark said he’d like to skid logs out using about 600’ of the Class 4 section of Rowe Hill. Glenn asked if any work will be done to the road. Mark said he doesn’t think that’s necessary. Tom asked if the road is passable now. Glenn said it’s passable with a skidder or a bulldozer. Bruce asked if the work will change any drainage patterns. Glenn asked Mark to monitor the bottom section for runoff and divert it if necessary. Glenn said if there is any damage done to the road, it will need to be fixed. Bruce asked about the timing of the work. Mark said it will be done soon. **Glenn moved to approve Mark Lather’s request for use of the Class 4 section of Rowe Hill Road for logging purposes. Tom seconded the motion. Bruce amended the motion to include a condition that Mr. Lather address any drainage issues at the bottom of the road and restore the road to its original condition if any damage is done. Glenn accepted the amendment to the motion, which passed unanimously as amended.** Tom asked if the request is for this year only. Mark said yes.
- 10) Highway Foreman’s report – None
- 11) Consider use of town property adjacent to South Knob Hill for log storage purposes – Tom said the work cannot interfere with emergency access. **Glenn moved to approve the request, contingent upon traffic flow being maintained at all times. Bruce seconded the motion, which passed unanimously.** Tom asked if the request is just for this year. Glenn said yes.
- 12) Consider signing federal sub-recipient grant form – Cathy Archibald said she has already signed and sent in the form.
- 13) Award contract for Hotel Road pump station work – Glenn said the town’s engineers, Aldrich & Elliott (A+E), recommended the low bid of \$89,900 by Courtland Construction. **Glenn moved to accept Courtland Construction’s bid for work on the Hotel Road pump station. Bruce seconded the motion.** Tom asked who is paying for it. Glenn said the property owners who are being served by the pump station will pay for the work; there will be no cost to the town. **Glenn called for a vote on the motion, which passed unanimously.** Glenn said the bid and acceptance form needs to be signed. **Glenn moved to sign the form. Tom seconded the motion, which passed unanimously.** Glenn said after the town provides Courtland Construction with the bid acceptance form, we will need to receive a performance and payment bond from them before we issue a notice to proceed. Tom asked how many days they have to complete the work. Glenn said they have 120 days.
- 14) Adopt and sign sewer rate and fee schedule – Glenn said at the Sewer Advisory Committee (SAC) meeting last Friday it was suggested that the \$100 connection fee be increased to \$2,000. **Glenn moved to increase the fee to \$2,000.** Tom asked if that includes the inspection fee. Glenn said no; the inspection fee would be \$500 per e.u. in addition to the connection fee. **Tom seconded the motion.** Glenn noted that the ordinance does not have to be amended in order to change the fee. Tom asked about the disconnection fee. Glenn said the disconnection fee is \$1,500 per e.u. for residential units and \$3,000 per e.u. for non-residential units, with the Selectboard having the authority to waive the disconnection fee on a case-by-case basis. Tom suggested a flat fee for disconnections. Glenn said the Selectboard should consult with the SAC before changing the disconnection fee. **Glenn called for a vote on the motion to raise the connection fee to \$2,000, which passed unanimously.**
- 15) Sign preliminary and final sewer allocation application forms – Tom asked if the Selectboard is just approving the forms. Glenn said yes. **Bruce moved to approve the forms. Tom seconded the motion, which passed unanimously.**
- 16) Discuss addition of Windsor Building representative to Sewer Advisory Committee (SAC) – Glenn said the Windsor Building - with 20 units - has its own association, which is not currently represented on the SAC. Tom asked who would select the representative. Glenn said each association elects its representative with each unit owner having one vote. **Glenn moved to appoint Gina Halsted to the**

**SAC to represent the Windsor Building. Bruce seconded the motion, which passed unanimously.**

- 17) Consider request for sewer service disconnection of base lodge & waiver of associated fees – Glenn said the Selectboard received a letter from MFW Associates requesting disconnection of sewer service for the Base Lodge, and termination of associated fees, effective March 31, 2014, as well as a waiver of any applicable disconnection fees. Upon approval of the disconnection by the town, MFW will deliver an affidavit stating that they will permanently disconnect the sewer service to the Base Lodge (in the presence of the town’s engineers) no later than May 1, 2014 and that they plan to raze the Base Lodge within 36 months of disconnection. Tom said if the pipe has not been cut and capped by May 1<sup>st</sup>, the disconnection fees should not be waived. Bruce and Glenn agreed. Glenn said he notified Windsor Town Manager Tom Marsh of the request since it will affect Windsor’s billing for treatment charges and Tom Marsh has requested a letter from MFW indicating that they do not intend to build a replacement structure. Tom Kenyon asked about MFW’s plans to construct a new building in which to relocate the waterworks currently located in the Base Lodge. Glenn said that building would require engineering and permitting which is the reason for the 36-month time frame for demolition. Bruce asked about the cell tower on top of the Base Lodge. Glenn said he expects there is some provision in the lease to address that. **Tom moved to approve the request for sewer service disconnection of the Base Lodge at the Ascutney Mountain Resort and the waiver of associated fees. Glenn seconded the motion, which passed unanimously.** Tom asked about the number of equivalent units represented by the Base Lodge. Glenn said it’s either 20 or 21 units. Tom said it’s his understanding that the 2014-15 sewer budget will take the disconnection into account. Glenn said yes.
- 18) Consider proposal for pump station building improvements – Glenn said the town received a proposal from Dennis Lemire dated 3/6/14 to replace the roof, siding, windows, door and corner boards, and provide an ice and water shield at pump station #1 for \$5,150. **Glenn moved to accept the proposal. Tom seconded the motion, which passed unanimously.**
- 19) Village sewer project update & consideration of Phase 1B archeological study – Glenn announced that the town’s Community Development Block Grant application for the sewer line extension was awarded in the amount of at least \$750,000 with the possibility for an additional \$200,000. Glenn said the town was also placed on the Agency of Natural Resources grant eligibility list for \$460,000. Glenn thanked Martha for her hard work on this and said we now have a sizable amount of money when we go for a bond vote on the \$2.1 million project. Glenn said it’s very rewarding to have the state recognize the need and be willing to partner with the town. Regarding the archeological study, the Selectboard agreed to get a status report from engineer Kevin Camara.
- 20) Review draft bond election materials – The Selectboard scheduled a meeting for Monday, March 24, at 9:00 AM to review the documents provided by Bond Counsel Paul Giuliani and to establish a date for the bond vote. Glenn said he would also like to review the list of current projects and come up with a plan to accomplish them.
- 21) Consider wiring proposal for town hall internet service – Glenn said Tim Stone estimated that it will cost between \$600 and \$800 to wire the town hall for wireless internet service. **Tom moved to accept the proposal from Stoney Electric. Bruce seconded the motion, which passed unanimously.**
- 22) Discuss non-profit concept for trail system responsibility – Glenn said he sees things evolving to a point where it may be beneficial to have a non-profit organization responsible for operating, maintaining, and marketing the trail system. Glenn said he envisions a license agreement between a non-profit and the town. Glenn said there could be a line item on the warning for town meeting every year requesting financial support from the voters. Bruce said he agrees with the concept but a lot of details would need to be worked out. Glenn said he envisions someone from the town sitting on the board of directors of the non-profit organization given that half of the trail system is on town property. Tom said he would prefer to establish a contract rather than an agreement. Erik Schutz said STAB would probably bid on the contract. Erik updated the Selectboard on the implementation of the “Ascutney Trails” marketing plan. Erik suggested inquiring with East Burke about the Kingdom Trails, which are on town, state, and private lands. Jim Lyall said there would need to be some way for the non-profit organization to work with the private landowner as well as the town.

- 23) Discuss 911 signage project – Martha said the number of signs needed, if we want two signs for each property, is 1484. Glenn said we need to decide on size, color and reflectivity. Glenn said Mike Spackman suggested having the signs made by the correctional facility. Tom suggested consulting with Town Counsel regarding those who may be sensitive about having their house number posted. Glenn noted the ordinance, which requires the number to be posted in the highway right-of-way. Bruce added that the posting is for the safety of the resident. The Selectboard agreed to consult with Town Counsel on any legal issues, and to consult with the Fire Chief on design and placement details. Martha said she had an inquiry today about the placement of the numbers on the house. Martha said the ordinance requires the numbers to be on the front of the house and to be 3” high, 2.5” wide and reflective.
- 24) Police report – Glenn said he has not received a police report in a while. The Selectboard agreed on the importance of receiving regular reports and keeping them on file.
- 25) Other Business – Proposals from A+E for pump station monitoring and sewer system assessments: Glenn said A+E has submitted a proposal for pump station monitoring for an amount not to exceed (NTE) \$6,700, and a proposal for sewer system assessments for an amount NTE \$6,300. Glenn said the SAC agreed unanimously to recommend that the Selectboard approve the proposals. **Glenn moved to authorize A+E to proceed with the work outlined in the proposals dated March 11, 2014; one for pump station monitoring and the other for sewer system assessments. Bruce seconded the motion.** Tom asked about the assessment. Glenn said the assessment would be of the upper loop section of the system. **Glenn called for a vote on the motion, which passed unanimously.** Hartigan proposal: Glenn said the town also received a proposal from Hartigan for the actual camera inspection of the upper loop for an amount NTE \$7,910, which was also approved by the SAC. **Glenn moved to accept the proposal from Hartigan. Tom seconded the motion.** Tom asked what happens if they find problems. Glenn said Hartigan’s proposal includes assessment and cleaning, and provides the basis for a capital improvement budget. Tom asked if the amounts are funded by sewer fees. Glenn said yes. **Glenn called for a vote on the motion, which passed unanimously. Tom moved to authorize the chair to sign the proposals on behalf of the Selectboard. Bruce seconded the motion, which passed unanimously.** Mt. Ascutney Prevention Partnership: Glenn suggested setting a time for Courtney McKaig to address the Selectboard on how the town may be able to incorporate awareness of substance abuse issues in town policy. Tom and Bruce agreed. VT 100: Tom said he would like an acknowledgement from Julia H. O’Brien that the conditions associated with the permit for the VT 100 race are acceptable.
- 26) Approve Minutes - February 10<sup>th</sup>: **Tom moved to approve the minutes of February 10<sup>th</sup> as amended. Bruce seconded the motion, which passed unanimously.** February 12<sup>th</sup>: **Tom moved to approve the minutes of February 12<sup>th</sup> as written. Bruce seconded the motion, which passed unanimously.** February 26<sup>th</sup>: **Tom moved to approve the minutes of February 26<sup>th</sup> as written. Bruce seconded the motion, which passed unanimously.** February 28<sup>th</sup>: **Tom moved to approve the minutes of February 28<sup>th</sup> as amended. Glenn seconded the motion, which passed unanimously.** March 4<sup>th</sup>: **Tom moved to approve the minutes of March 4<sup>th</sup> as written. Glenn seconded the motion, which passed unanimously.** March 6<sup>th</sup>: **Tom moved to approve the minutes of March 6<sup>th</sup> as written. Glenn seconded the motion, which passed unanimously.**
- 27) Executive Session: **Glenn moved to go into Executive Session to discuss personnel matters. Bruce seconded the motion, which passed unanimously.** After discussion, **Tom moved to come out of Executive Session and adjourn, with no action taken, at approximately 8:30 PM. Glenn seconded the motion, which passed unanimously.**

Respectfully submitted,

Martha Harrison