

WEST WINDSOR SELECTBOARD

Draft Minutes

May 9, 2012

Present: Glenn Seward, Tom Kenyon, Martha Harrison

- 1) Call to Order – Selectboard Chair Glenn Seward called the meeting to order at 7:35 AM.
- 2) Changes or Additions – bridge, paving & homeland security grants
- 3) Discuss ski area, sewer and water issues – Glenn said the Selectboard met with Dan Purjes recently and had a positive conversation. Glenn said it was agreed that Town Attorney Matt Birmingham and Mr. Purjes' attorney, Chris Dugan, would work out a "Letter of Terms" outlining the possible sale of the sewer to the town. Glenn said Dan contacted him a few days later and indicated a desire to sell the water system to the town as well. Glenn said the \$500,000 voted on at town meeting would cover the cost of the entire sewer system, including the interior collection system that services Orange Lake, and the entire water system with the exception of the source of the water. Glenn said Dan's proposal is that the users would pay 1 cent per gallon for every gallon pumped from the well, which has amounted to approximately \$36,000 per year in the past. Glenn said he asked Dan about the length of the term of the pumping charge and Dan said it would have to be for a minimum of 7 years. Glenn said he is also concerned about the cost of separating the pumps and the electrical equipment in the base lodge where they are commingled with Resort utilities. According to Glenn, Dan said he would get a cost estimate. Tom asked what electrical equipment is in there. Glenn said the water is pumped from the source up to the reservoir, where it gravity feeds down to the base lodge where there are booster pumps which pump water to the large tanks at the end of Ski Tow Road. The power for those pumps is mingled with the power for the snowmaking equipment and everything else, so it needs to be removed from the base lodge and separately metered if we're going to acquire the water system. Glenn said the cost of removing the pumps and other equipment from the base lodge would be between \$60,000 and \$100,000 and we'll have to figure out who pays for it. Glenn said we'll also have additional legal and engineering costs. Glenn said Aldrich & Elliott (A&E) have indicated that the water system evaluation would cost between \$7,500 and \$10,000. Glenn said he spoke with Orange Lake Attorney Michael Thompson and Town Attorney Matt Birmingham and outlined Dan Purjes's proposal regarding the water system. Glenn said Orange Lake was supportive of the notion, including the per gallon pumping charge. In addition, Glenn said, he spoke with Property Owners Association (POA) President John Bossen, who was also supportive but wants the town to take over the upper loop of the sewer system. Tom noted that we still need to figure out who owns that portion of the system. Glenn noted Dan's statement that he would transfer the entire collection system. Glenn said there's an effort to restructure the WASTE Board, which will have to be reviewed and approved by the District Environmental Commission. However, if the town takes over the water and sewer, the Commission has indicated that the WASTE Board would cease to exist. Tom asked who would set the rates. Glenn suggested an independent water/wastewater committee that would formulate rates and present them to the Selectboard. Tom asked if the town would acquire the payables and receivables associated with the sewer and water systems. Glenn said he's not sure how that would work. Tom asked when we start having serious negotiations with Windsor. Glenn said he'd like to get a final offering first. Tom said he thought Windsor and West Windsor were going to apply for funding jointly. Glenn said the voters haven't authorized any borrowing beyond \$500,000. With the water system, Tom said, he assumes that the users will pay the costs. Glenn said we've indicated that the deal will not exceed \$500,000 and it looks like it's going to exceed that. Tom suggested conferring with Town Attorney Matt Birmingham. Glenn agreed. Glenn said that, according to A&E engineer Joe Duncan, it's legal to borrow a small percentage more than authorized by the bond vote. Glenn said the users are going to end up paying the \$500,000 and the due diligence costs because it's all going to be rolled into the rates. Glenn said Matt Birmingham met with Geoff Commons, Attorney for the VT Public Service Board, and Geoff embraces the concept of the town taking over the water system. Tom asked Glenn if he thinks we need to have a public hearing at some point. Glenn said absolutely but added that he wants to find out from Matt whether it's okay to proceed under the current vote. If we are okay to proceed, Glenn said, he thinks there should be at least one public hearing. Glenn said he was thinking he

would summarize the latest positive developments for the website. Tom asked when we'll have enough information to make this "public." Glenn said the main issue is who bears the cost of separating the equipment. Tom asked about the \$135,000 owed to Snowdance. Glenn said it came from repairs that Purjes did to the system shortly after taking over. Glenn said the WASTE Board agreed that Purjes would treat it as a loan to the users so there is an amount included in the sewer bills to pay back the \$135,000 loan over five years. Glenn said Matt and Chris Dugan can work out the sewer details while the Selectboard works out the water details. Glenn said he talked with the bond bank yesterday about alternative financing options given the excessive engineering requirements attached to the funding through the Clean Water State Revolving Fund (CWSRF). Glenn said the bond bank wants to be sure that the system will last for the length of the note so they would ask the Selectboard to sign an affidavit stating their opinion that the system will last 20 years. The current interest rates through the bond bank are 3.4% for 20 years, Glenn said, so the difference in interest costs over 20 years is \$88,000. Glenn said the next bond offering is in the fall but interim financing is available. Glenn said the town would need to hire bond counsel. Glenn said he thinks the town needs an additional \$75,000 for due diligence and engineering. Tom said he would like to know whether the town has to go back to the voters or not. Glenn suggested meeting with Matt. Tom suggested a public meeting on a Saturday. Glenn noted that there is a POA meeting on May 19th. Tom said that would be a good time to get their input and suggested that the Selectboard attend.

- 4) Other Business – Paving & Bridge Grants: Martha said we are requesting the maximum amount that we can request for paving on the Brownsville-Hartland Road. Glenn said we are requesting \$137,650 to replace the culvert on Rush Meadow Road just south of Wardner Road. Tom said he is concerned about the Brownsville-Hartland Road by Ralph Johnson's house. Glenn said he will talk to Mike about it but, if FEMA won't fund it, the town will have to fund it. Tom said the town had \$49,000 in the paving fund at the end of last year. Martha said if we do get a paving grant, our share is \$43,000. Tom asked when the grants are awarded. Martha said we should have a response by August. Tom said the retreatment budget for this year is \$30,500 so we could wait until August or September to do the repair by Ralph's house. **Glenn moved to sign the bridge and paving grants for 2012. Tom seconded the motion, which passed unanimously. Tom moved to authorize the Chair to sign on behalf of the Selectboard. Glenn seconded the motion, which passed unanimously.** Law enforcement radio equipment: Glenn said there may be funding available through Homeland Security for the repeater and it looks like West Windsor is eligible. **Glenn moved to apply for a grant through Homeland Security (VCOMM) for the new repeater on Mt. Ascutney. Tom seconded the motion, which passed unanimously.** Glenn said the application is due by June 1st. Birdfeeders: Tom said the Selectboard should let residents know that they should bring in their birdfeeders to avoid attracting bears. Glenn asked Martha to put a notice on the website.
- 5) Adjourn – **Tom moved to adjourn at 8:30 AM. Glenn seconded the motion, which passed unanimously.**

Respectfully submitted,

Martha Harrison