

## WEST WINDSOR SELECTBOARD

Draft Minutes

September 12, 2011

Present: Glenn Seward, Tom Kenyon, Bruce Boedtker, Cathy Archibald, Jim Kenyon, Mike Spackman, Bob French, Mark Nowlan, Kerry Banks, Rudy Gross, Dennis & Tammy Conley, Alan Ewald, Ken & Brenda Schlegel, Ethel Shambo, Dennis Dowling, Ralph Johnson, Phil Arvidson, Chris Johnson (FEMA), Donna Miller (FEMA), Kristian Kurtzthal, David Jaacks, Duncan Brettell, Martha Harrison

- 1) Call to Order – Selectboard Chair Glenn Seward called the meeting to order at 6:30 PM.
- 2) Changes/Additions – FEMA representatives, bids for Brook and Harrington Road repairs (Executive Session), liquor license request (Vermont 50), Dorothy Saunders
- 3) Town Clerk's Orders – The Selectboard signed the Town Clerk's orders. Glenn noted that last week's flood related bills total between \$40,000 and \$50,000.
- 4) Public Comment – Phil Arvidson thanked Mike Spackman, the road crew, the state road crew, Emergency Coordinator Jim Kenyon, Ralph Johnson, the Fire Department, the Selectboard, CVPS, and FairPoint for accomplishing so much in such a short period of time. Those present applauded. Rudy Gross added Comcast to the list. FEMA representatives: Donna Miller introduced herself and her partner Christopher Johnson and said they are available to help residents resolve flood-related problems. Donna and Chris agreed to come back on September 22<sup>nd</sup> at 6:30 PM to meet with residents who have questions. Chris urged people to register with FEMA if they have any flood related damage by calling 800-621-3362 or on-line at [www.disasterassistance.gov](http://www.disasterassistance.gov) Chris said calling "211" is not the same as registering with FEMA. Chris said the closest disaster recovery centers are in Killington, Woodstock and Brattleboro. Donna said people who register will be asked to fill out paperwork from the Small Business Administration (SBA) and this paperwork has to be filled out even if you're not applying for a loan. There are also grants available. Donna said FEMA will need checking account information because if you are approved for assistance, it will be wired into your account. Chris said FEMA only assists with damage to primary homes, not secondary homes, but renters are eligible. Donna said FEMA inspectors will have identification badges. Donna urged people to check references before hiring contractors. Donna also urged people to take photographs of their damage.
- 5) Town Clerk/Treasurer's report – Cathy said she asked the oil companies to delay sending their bids until October. Cathy also had a liquor license for the Selectboard to consider. **Tom made a motion to approve the liquor license for the Vermont 50. Bruce seconded the motion, which passed unanimously.**
- 6) Coaching Lane Extension – Rudy Gross said the property owners on Coaching Lane Extension would like the town to take over the road and would like to know what improvements they have to make in order for that to happen. Rudy said there are ten property owners on the road, who collectively pay more than \$36,000 per year in taxes, and there are other town roads with only one or two property owners. Rudy said it is a struggle for the property owners to pay for the maintenance of the road and also pay taxes. Rudy asked the Selectboard and the Highway Foreman to assess the road, recommend improvements, and contact Dan Purjes about transferring ownership of the road to the town. Rudy said it is not in the best interest of the people who own property along the road to make improvements to a road they don't own. Rudy said during the recent flood Coaching Lane Extension sustained no damage. Tom noted that the Selectboard does not take roads over in the winter. Bruce disclosed that he lives on Coaching Lane Extension and recused himself from voting on the matter. Bruce said he doesn't think it's going to happen any time soon, but the residents need to know what it's going to take to make it happen. Tom said one of the problems is the turn-around at the end of the road. Mark Nowlan said the turnaround would end up being on his property. Bruce said he thinks something smaller than the original cul de sac would work. Glenn said he was on the Selectboard the last time this issue came up and the resort

owners, who also own the road, were not prepared to deed the 50' right-of-way to the town at that time. The Selectboard and the Highway Foreman agreed to meet on site with the property owners on Thursday, October 6<sup>th</sup> at 8:00 AM.

- 7) Request to work on Class IV road: Dana Waters – Martha reported that Dana wants to fix the damage caused to Rowe Hill by the storm. There's an exposed culvert and he wants to dump a couple loads of gravel and put the road back the way it was. Mike said he has no issue with that. **Tom made a motion to approve Dana Waters' request to work on the Class IV section of Rowe Hill. Bruce seconded the motion, which passed unanimously.**
- 8) Highway Access: Robert Young – The Selectboard and the Highway Foreman have not had time to inspect the proposed access relocation. **Tom made a motion to table consideration of Robert Young's access application. Glenn seconded the motion, which passed unanimously.**
- 9) Vermont 50 re-routing options – Mike Silverman was not present to discuss the issue.
- 10) Town Constable's Report – Ralph asked anyone who sees a black Jeep Cherokee with a red trailer to get the license plate number. Tom said we need to clarify our policy with Lucy MacKenzie with regard to stray dogs.
- 11) Highway Foreman's Report – Glenn expressed appreciation for the Highway Department's work ethic over the past two weeks. Bruce agreed. Covered bridge: Glenn said we have a proposal for the bridge from Barns and Bridges and a proposal for the abutments from Clive Morris, and Daniels and Miller are going to submit proposals by Friday. Glenn said we also put a request for bids in the newspaper. Tom said some representatives from Historic Preservation looked at the bridge and confirmed that the tied arch is the only historic part of the bridge. Tom asked the other Selectboard members if they think we should save the bridge. Glenn said yes and added that he has heard the same from countless residents. Bruce said it is a plus that the structure is relatively sound. Tom suggested raising the bridge a couple of feet. Mike said he wants the bridge to be restored in spite of the fact that covered bridges are a highway foreman's worst enemy. Sheddsville Grant: Mike asked Martha to contact the Army Corps of Engineers about extending the deadline for completing our stream bank stabilization project. Cemetery & Coon Club drainage projects: Mike said they didn't find any water when they excavated Coon Club Road but that was not the case with Cemetery Road. Irene-related work: Mike said the highway crew is going to go back to 8-hour days next week and, even though they still have some storm-related work to do, the town roads are in pretty good shape. Brownsville-Hartland bank: Tom asked about the potential slope failure on the Brownsville-Hartland Road. Glenn said he and Bruce met with Shawn Kelly and Scott Burbank and there does not seem to be a danger of total failure anytime soon. Glenn said he painted the cracks so we can monitor them and Scott suggested doing some borings. Glenn said Scott's initial thought is that it's a straightforward rip rap job and, for now, the trees should remain. Glenn said Scott will give us a proposal for the borings and engineering work. Mike noted slope damage on Rush Meadow Road across from where Joan Spackman used to live and proposed a fix. Vermont 50: Mike said he would like to know the proposed race route so he can comment on its safety.
- 12) Town Hall renovation planning – Glenn said there was some water damage downstairs in the town hall so most of the carpet has been ripped out and Carpet Mill is coming on Thursday to measure for new carpeting. Glenn said we are waiting for verification that our insurance company will cover it. Tom said the windows have been painted but the storm windows are old and degraded so he has asked American Plate Glass for an estimate on replacing them.
- 13) Town forest management plan update – Forest Ecologist Tii McLane is writing her formal report and we are trying to schedule a meeting with the Town Forest Committee and the Regional Planning Commission to review the report.
- 14) Recreational trail system update – Glenn said the District Environmental Commission asked us to map trails that are in the stream buffer and, thanks to Jim Lyall, that has been done. Glenn said after we meet with Wetland Ecologist Rebecca Chalmers, we should be ready to file our Act 250 permit. Rudy said he put barrier tape across the road going to the town forest parking lot because

people shouldn't be driving up there right now. Bruce said it would be good to water bar the road before winter. Glenn offered to fill the ruts with his tractor if we can get some gravel up there. Bruce said ultimately he thinks the Vermont 50 should avoid the trails in the town forest to prevent erosion. Glenn agreed and suggested discussing it with Mike Silverman.

- 15) Fire District update – Glenn said a conference call is scheduled for tomorrow morning for the group that is interested in forming a fire district. Glenn said the price tag for the water and sewer utility is \$1.8 million. Glenn said he doesn't think the rates will support the debt service. Tom asked if the owner paid to repair the sewer line that was severed in the storm. Glenn said yes. Glenn added that, when the water line to the General Store was severed and all the reservoirs were drained, the owners fixed that promptly as well. Bruce asked about the effect of the damaged pump station on the fire department's water supply. Mike said the alternate plan is to lay hose. Glenn said the owner has contacted an engineer to see what can be done because the dam that served as an intake structure is not there anymore. Glenn noted that the transformer is okay, it just needs to be righted.
- 16) Tree Warden's report – Tom said the Route 44/Bible Hill project is on hold. Tom noted that we did lose power during the storm but it was not because there were trees down, it was because the substation was under water.
- 17) Set subdivision application fees and review current zoning fee structure – **Tom moved to table this item. Bruce seconded the motion, which passed unanimously.** Martha asked the Selectboard to consider waiving zoning application fees for distressed property owners who experienced flood damage. Tom suggested a two month limit on fee waivers. **Bruce moved to waive zoning application fees for applicants who experienced flood damage if the application is received within the next two months. Tom seconded the motion, which passed unanimously.**
- 18) Other Business - Floodplain: Mike asked if the floodplain has changed. Bruce said yes, but the maps won't change. Tom noted that the Army Corps was here today to see if anything can be done behind the Grange Hall, the Pierce and Yates properties, and the fire station. Stream Cleanup: Rudy asked if there are any plans to clean up Mill Brook along Route 44. Glenn said there was a stream cleanup along Harrington Road last weekend and he expects such efforts will be ongoing. Glenn noted that the town has supplied dumpsters for flood related debris. Glenn encouraged Rudy and anyone else who is interested to organize some work days. Tom said inmates from the correctional facility would be able to help with the effort once the water level goes down. Saunders lot: Tom said Dorothy Saunders owns a lot at 584 Cemetery Road and there has been controversy about whether it is a separate lot or part of the cemetery. Tom said he and the owner's agent inspected the property today and found the wall marking the property line so Tom is satisfied that there is a lot there, for which Ms. Saunders has clear title, and she is selling the lot. Next regular meeting: Monday, October 3<sup>rd</sup> at 6:30 PM. Fire Department: Tom said the fire department has registered with FEMA for public assistance and has voted to form a building committee.
- 19) Executive Session: **Glenn moved to go into Executive Session to discuss pending litigation and contracts. Bruce seconded the motion, which passed unanimously.** After discussion, **Tom made a motion to come out of Executive Session. Bruce seconded the motion, which passed unanimously.** Glenn noted that, in Executive Session, the Selectboard opened and discussed the bids for the Harrington Road and Brook Road projects. Glenn reported that, for the Brook Road project, Murphy Construction bid \$56,320; Dan Lesnick bid \$145,000; Waters Construction bid \$98,960; and Jarvis Construction bid \$167,208. **Glenn moved to accept the bid from Murphy Construction to repair the Brook Road for \$56,320. Bruce seconded the motion, which passed unanimously.** For the Harrington Road project, Glenn noted that Murphy Construction bid \$94,222; Dan Lesnick bid \$182,000; Waters Construction bid \$144,300; and Jarvis Construction bid \$208,000. Glenn said the "add on" amounts for additional work on Harrington Road were: \$5,069 for Murphy; \$1,878 for Waters; and \$9,000 for Jarvis. Dan Lesnick did not

submit a bid for the additional work. **Glenn moved to accept the bid from Murphy Construction to repair Harrington Road for \$94,222, with \$5,069 for the “add on.” Bruce seconded the motion, which passed unanimously.** Cost allocations: There was discussion about the allocation of truck time and materials to the various road repair projects resulting from Tropical Storm Irene. Glenn said his goal is to have all the paperwork done by the time the FEMA representative comes to town. Glenn said he will be showing the damaged areas to Catherine from the Regional Planning Commission tomorrow. There was discussion about photos of the damage. Mike said the only road he didn't get photos of is Auger Hole Road. Bone Builders: Tom suggested that the Bone Builders exercise group store their equipment at the library while there is work going on at the Town Hall. Emergency meetings: Tom noted for the record that it may be necessary to call some emergency meetings over the next few weeks with only a few hours notice.

- 20) Approve Minutes - August 2<sup>nd</sup>: **Glenn made a motion to approve the minutes of August 2<sup>nd</sup> as written. Bruce seconded the motion.** Tom noted that, since it was a joint meeting with the Planning Commission, the minutes are also subject to their review. **Glenn called for a vote on the motion, which passed unanimously.** August 8<sup>th</sup>: Tom said the minutes should note that highway expenses are going to be over budget, not that they already are. **Glenn made a motion to approve the minutes of August 8<sup>th</sup> as amended. Bruce seconded the motion. Tom made another clarification and moved to accept the clarifications. Bruce seconded Tom's motion. Glenn called for a vote on the motions, which passed unanimously.** August 9<sup>th</sup>: Tom made a motion to accept the minutes of August 9<sup>th</sup> as written. Glenn seconded the motion, which passed with Bruce abstaining.
- 21) Adjourn – Glenn moved to adjourn at 8:48 PM. Bruce seconded the motion, which passed unanimously.

Respectfully submitted,

Martha Harrison