

WEST WINDSOR SELECTBOARD

Draft Minutes
September 9, 2013

Present: Glenn Seward, Tom Kenyon, Bruce Boedtke, Cathy Archibald, Aaron Gonthier (Windsor on Air), Bob French, Erik Schutz, Annie Burke, George Calver (VT Standard), Ron Young, Jan Swallow, Jim Lyall, Deb Shearer, Lucy Dunne, Martha Harrison

- 1) Call to Order – Selectboard Chair Glenn Seward called the meeting to order at 6:30 PM.
- 2) Changes or Additions – None
- 3) Sign Town Clerk’s orders – **Tom moved to sign orders. Bruce seconded the motion, which passed unanimously.**
- 4) Town Clerk/Treasurer’s Report – None
- 5) “Welcome to West Windsor” sign funding (final) – After discussion, it was determined that the town’s contribution to the sign fund was \$962.71, which was \$62.71 more than agreed. **Tom moved to accept a donation of \$62.71 from the Brownsville Community Church and to then close out the account. Glenn seconded the motion and thanked the church. The motion passed unanimously.**
- 6) Public Comment – Glenn said the Selectboard’s work has become increasingly complex and, as Selectboard members come and go, there has been one constant – Martha Harrison. **Glenn noted Martha’s responsibilities and moved to change Martha’s title to “Town Administrator” to more accurately reflect her duties, effective immediately. Tom seconded the motion.** Tom asked if there are any financial implications. Glenn said no; it’s simply a change of title. **The motion passed unanimously.**
- 7) Application for public assembly: 5K Race & Fun Run (Lucy Mackenzie) – **Tom moved to approve the application by Lucy MacKenzie Humane Society for a public assembly to be held at 4832 Route 44 on Sept 21, 2013. Glenn seconded the motion, which passed unanimously.**
- 8) Discuss schoolyard maintenance with School Board – Glenn said he met with Dr. David Baker last week and the supervisory union is doing everything they can to control costs. Glenn said David gave him a draft strategic plan from the supervisory union for the Selectboard’s review, which he passed along to Tom and Bruce. Glenn said present at the meeting were Jim Mullen, Bob Stacey, Tom Marsh, David Baker and himself and they agreed to meet quarterly going forward. Glenn said Tom Kenyon has looked into the idea of the town maintaining the school grounds to control per pupil costs since it appears that the town owns the property. Tom said the town may be able to hire someone to take care of both cemeteries and the school grounds. Erik Schutz said the school’s budget for mowing and plowing is \$4,000. Tom said there is a proposal for all the work that needs to be done to the ball field and if the town includes that work in its budget, it doesn’t get added on to the school budget and the per pupil cost. Erik said last year was the first year that the school’s budget went up and taxes went up; some year’s the budget goes up and taxes go down. Erik said \$4,000 is not going to make a difference in the per pupil cost. Erik said the school is saving money in other ways (e.g. on special education) through the supervisory union.
- 9) Consider renewing tax map service agreement with Avitar Associates – Annie said the Listers do not need new maps. Annie recommended the storage option at an annual cost of \$500. **Tom moved to renew the tax map service agreement with Avitar Associates for \$500. Glenn seconded the motion, which passed unanimously.**
- 10) Discuss concerns about homestead declarations – Glenn noted that the Selectboard has received five letters protesting the penalty for filing late. Glenn suggested consulting with the Town Attorney before taking any action. Glenn said it appears that there are certain criteria under which the Selectboard can abate penalties but it’s not clear to him that the Selectboard has the authority to waive penalties for other reasons. Jan Swallow said she and her husband are present to appeal the penalty for medical reasons. Glenn said the state keeps changing the law which is confusing. Lucy Dunne

said they filed for an extension and were not aware that the extension did not apply to the homestead declaration. Glenn read Charles Wynn Medinger's letter into the record. Glenn suggested scheduling a meeting to deal with the waiver requests on a case-by-case basis after consulting with the Town Attorney. Tom asked the Town Treasurer how many tax payers were penalized. Cathy estimated that approximately 20 people were penalized. Tom and Bruce agreed that the Selectboard should consult with the Town Attorney. Glenn said he will contact the Town Attorney in the next day or two.

- 11) Consider Town Forest Committee (TFC) proposal to amend Act 250 permit to add bridges and trails to the non-motorized trail network, relocate a portion of the Bicentennial Trail, and allow ATVs on specific trails – Glenn said he thinks the TFC should move forward with the additional trails and bridges and the relocation of the Bicentennial Trail. Bruce agreed. Regarding the ATV issue, Glenn said he thinks it should be brought to the public in a special meeting organized and conducted by the TFC before an amendment is pursued. Glenn noted that many of the proposed ATV trails are dead ends, which makes them ripe for abuse. Glenn suggested making the ATV trails the same as the emergency access trails. Jim said they are pretty much the same trails. Bruce noted the surveys and public forums that indicated that ATV use was near the bottom of the list of activities that the public wants. Bruce said he'd like to hear from STAB since they put so much time into creating the trails. Glenn suggested inviting STAB to the special meeting. Bruce said there should be flyers and newspaper ads to let people know about the meeting. Glenn agreed. Regarding the trail that crosses the town forest property line, Jim said Mike Spackman thinks the property belongs to the state. Jim will research it. Tom agreed that there should be a public meeting but he doesn't think there needs to be another survey. Given that the town is promoting a non-motorized trail system, Bruce expressed concern about the impact of allowing ATVs on it. Tom asked if horses are allowed on all the trails. Jim said no; horse trails are marked. Jim noted that horses are spooked more by bikes than by ATVs because they can hear the ATVs coming. Bruce said the issue is about the kind of experience that people want to have in the Town Forest; if they want peace and quiet then we need to think about what's going to happen to that experience if snowmobiles and ATVs are allowed. Glenn suggested asking the TFC to warn two public meetings to ensure adequate public input. Glenn agreed that we're marketing the trail system as non-motorized and allowing ATVs would be a wholesale change so we have to be careful. Bruce proposed a survey because some people don't feel comfortable speaking at a public meeting. Tom said he's tired of delaying. Glenn said he will contact the TFC chair and ask him to warn two meetings. Bruce said effort needs to be put into publicizing the meetings. Jim said he thinks having an outside moderator makes it easier for people to participate.
- 12) Discuss proposed new multi-use trail in Town Forest – Glenn said he sent a letter to abutting property owners and asked for their input on the proposed trail. Glenn said one of the owners has requested a meeting of the property owners and the Selectboard. The Selectboard agreed to schedule a meeting for Thursday morning.
- 13) Consider action regarding adopted Town Forest Plan – Glenn asked if it makes sense to ask the TFC to adopt policies in place of the interim policies. Jim said he thinks the TFC did adopt policies but he's not sure if they were communicated to the Selectboard. Jim said the policies are posted on the kiosk. The Selectboard asked Jim to send them a copy of the policies.
- 14) Gravel pit reclamation update – Glenn said he sent a note to the District 2 Environmental Commission requesting input on the gravel pit permit received from VTrans and he hasn't had a response yet. Glenn said we are permitted to use the pit. Glenn suggested spending some time out there with an excavator consolidating things in an appropriate spot before dumping material. Tom said he's concerned about what gets dumped and suggested that the Highway Foreman be responsible for the reclamation. Bruce said he thinks the Selectboard and the Highway Foreman should meet at the site to make sure everyone's on the same page. Glenn said the Highway Foreman should get a contractor out there to consolidate the stumps and debris at the toe of the slope to prepare the area for covering. Tom said he wants the Foreman to oversee the project.
- 15) Connector Trail/Crosswalk project (village) – Glenn said the connector trail and the crosswalks on Hotel Road and Brownsville-Hartland Road are in place. Glenn said additional pedestrian signs will

be placed on Route 44 in lieu of a crosswalk. Glenn said he met with Jason Rasmussen and Courtney McKaig today and they are going to further investigate a crosswalk on Route 44. Tom said the state has a responsibility to guide pedestrians to an appropriate crossing point. Glenn agreed and said the state cited vehicle speed and sight distance as reasons for not putting in a crosswalk. Glenn said once the state puts in a crosswalk, they have the liability. Tom said the brush that is interfering with sight distance is on state land.

- 16) Discuss updating Pedestrian Master Plan – Glenn said when he met with Jason Rasmussen (SWCRPC) and Courtney McKaig (MAPP), they discussed the Pedestrian Master Plan that was done in 1999. Glenn said Courtney will be seeking input from parents about bike and pedestrian needs and will be gathering information for Safe Routes to School, which will affect the Master Plan. As a result, Glenn suggested to Jason that he wait to update the plan until the beginning of next year, when Courtney is finished gathering information. **Tom moved to continue the process of updating the Pedestrian Master Plan. Glenn seconded the motion, which passed unanimously.**
- 17) Highway Foreman’s report – Mike said roadside mowing is almost done and the highway department is working on resurfacing from the flood. The Coon Club ditching is done and they hope to start the Delano ditching project this week. Bob French asked about resurfacing Rush Meadow Road. Glenn said the town has to balance what needs to be done with the resources available. Glenn briefed Mike on the gravel pit project.
- 18) Consider signing certification document for Better Backroads Delano Road project – Glenn said the town received grant funding for ditch work on Delano Road. **Glenn moved to sign the certification document. Bruce seconded the motion, which passed unanimously.**
- 19) FEMA update – Glenn said he met with our project specialist and toured the damaged areas in town. FEMA will reimburse 75% of the costs, including the TF parking lot and access road and trails and bridges. Confirmed that we can use hardpack instead of crushed gravel in scoured areas.
- 20) Brook Road trail status – Tom said he hopes Windsor will consider a trail and pedestrian bridge.
- 21) Nilson property – Glenn said the Conservation Commission sent a letter to the Nilsons inquiring about purchasing the property but there has been no response.
- 22) Sewer update – Glenn said the town is waiting to close until after the redemption period and auction in the first week of November. Glenn said work continues on the latest draft of the sewer ordinance, as well as agreements with Orange Lake, Windsor House and Snowdance on pump station upgrades. Glenn said requests for proposals on the upgrades will go out shortly. Glenn said work continues on an agreement with upper loop property owners on how their system gets transferred to the town. Work also continues on an agreement with Windsor for services, allocation and transfer. Glenn said Windsor is not willing to take possession of the Windsor portion of the line until the outstanding receivables are paid, which means Windsor residents will continue to pay West Windsor rates. Regarding the possible extension of the sewer line into the village, Glenn said work continues on grant applications and recent water tests indicate the presence of E. coli, which may qualify the town for a pollution abatement grant. Glenn said if the town does extend the sewer line into the village, work won’t start until 2015. Glenn said informational meetings in connection with the grant application will be scheduled in the near future. Glenn said he hopes folks will realize the importance of dealing with these issues: limited wastewater capacity at the school, an aging system at the town hall, a holding tank at the fire department, no system at the library, pollution of the brook, and the high cost of replacement for village systems. Tom expressed some concern about holding a bond vote before resort sewer ownership issues are resolved. Glenn and Bruce agreed that there are timing issues relative to the bond vote.
- 23) Sign amendment to contract with Aldrich & Elliott – Glenn said the grant application requires an environmental review which A&E can complete for the town for a “not to exceed” amount of \$5,000. **Glenn moved to sign the agreement with Aldrich & Elliott as well as the amendment to the Clean Water State Revolving Fund loan to fund the environmental review as required for the disaster recovery grant application. Bruce seconded the motion, which passed unanimously.**
- 24) Sign application for amendment to CWSRF planning loan – See item #23.

- 25) Sign revised purchasing policy – **Tom moved to sign the revised purchasing policy effective today. Bruce seconded the motion, which passed unanimously.**
- 26) Update on fiber optic line extension project – Glenn said the next closing for private investment is October 1st and the project cannot move forward until approximately \$150,000 of private investment is secured.
- 27) Talc Plant purchase update – Glenn said final details are being worked out for the closing.
- 28) Discuss access to parcel #1-36 from Reading via right-of-way – Glenn said parcel #1-36 is the settling pond property behind the talc plant, which is currently being reclaimed. Glenn said he contacted Reading Selectboard Chair Bob Allen, who told Glenn that he would get back to him after discussing the right-of-way idea with the other Reading Selectboard members.
- 29) Police report – Glenn said police reports are now available on the Windsor Police Department’s facebook page but he has requested that they also be emailed to him.
- 30) Discuss employee health insurance options – Glenn said the Selectboard is continuing to investigate options for health insurance and short-term disability. Glenn said Tanya Chambers clarified that the “Parent/Child” category means “parent and children.” The Selectboard agreed to discuss health insurance further at their Thursday morning meeting.
- 31) Fourth of July Committee – Glenn asked if it makes sense to have all July Fourth fundraising proceeds go directly to the Town Treasurer. Tom said the town voted a long time ago that all funds should go to the Town Treasurer. Bruce suggested that the committee be notified as a courtesy. Glenn also suggested that the committee elect a secretary at their organizational meeting. Tom said if the committee is not going to meet at their regular location on their regular day, they should post a notice to that effect. Bruce agreed and said that policy should apply to all committees.
- 32) Resort snowmaking capacity – Tom said he thinks the regulations change depending on who the applicant is. Glenn said there has been discussion about how much water can be withdrawn from the brook since 2003. Glenn said the average flow rate in Mill Brook is between 30 and 35 cubic feet per second, which equals 13,440 gallons per minute, and the conservation flow – the amount that has to stay in the brook - is 28 cubic feet per second or 12,566 gallons per minute, which leaves about 1,000 gallons per minute for snowmaking. Glenn said the pump station is capable of pumping 2,000 gallons per minute so there will still need to be a reservoir. Bruce said those regulations changed statewide in 2010. Glenn said the old conservation flow rate was 19 cfs, which was workable for the resort. Tom said he thinks the new conservation flow rate is unreasonable. Tom said he thinks the town should weigh in on this issue. Glenn said the lower half of the mountain has 60 skiable acres and covering that area with one foot of snow takes around 11,000,000 gallons of water. Bruce said when it’s cold enough to make snow, the brook ices up and the flow rate goes down. The Selectboard agreed to make it known to the various agencies involved, and to our legislators, that the viability of the ski area is vital to the town and some flexibility on this issue would be appreciated.
- 33) Schedule budget review – Glenn suggested an evening meeting to increase participation. The Selectboard scheduled a budget meeting for Wednesday, October 2nd at 6:30 PM (*Note: the meeting was subsequently rescheduled for Tuesday, October 1st at 6:30 PM.*) Glenn suggested making an extra effort to ensure that people are aware of it.
- 34) Other Business – None
- 35) Approve Minutes - July 17th: **Tom moved to approve the minutes of July 17th as written. Bruce seconded the motion, which passed unanimously. July 30th: Tom moved to approve the minutes of July 30th as written. Glenn seconded the motion, which passed unanimously. August 5th: Tom moved to approve the minutes of August 5th as written. Glenn seconded the motion, which passed unanimously. August 6th: Tom moved to approve the minutes of August 6th as written. Bruce seconded the motion, which passed unanimously. August 14th: Tom moved to approve the minutes of August 14th as written. Bruce seconded the motion, which passed unanimously.**
- 36) Open and consider bids on Brook Road culvert replacement project – Glenn said there are two bids: one from Murphy & Son for \$77,623, plus \$20 per linear foot for guardrail; and one from Daniels Construction for \$112,250, including guardrail. Mike questioned whether either company can get a

precast pipe in time to complete the project within the time frame. Glenn said the River Management Engineer is willing to extend the deadline to allow the project to be completed this fall. **Tom moved to accept the bid from Murphy & Son for \$77,623 plus \$20/linear foot for guardrail, subject to determining whether the company can do the job within the time frame for working in the brook. Glenn seconded the motion, which passed unanimously.**

37) Adjourn – **Tom moved to adjourn at 8:27 PM. Bruce seconded the motion, which passed unanimously.**

Respectfully submitted,

Martha Harrison