

Select Board minutes 7-14-14

Present:

Glenn Seward, Bruce Boedtke, Tom Kenyon, Rob and Joan Calhoun, Paul Biebel, Ed Conners, Cathy Archibald, Cathy Boedtke, Mike Spackman

1. Call to order @ 6:30 by select Board Chair Glenn Seward
2. Changes/Additions: Tom Kenyon requested discussion of town hall roof repairs, burying village power, and town clock, and drainage at Seems Rd/Rte44.
3. Sign orders: Tom Kenyon moved to sign town clerk orders, Bruce seconded – motion passed.
4. Town Clerk/treasurers report: Cathy requested the select board's signature on a document authorizing her to collect taxes: Tom Kenyon moved to sign, Bruce seconded, motion passed.
5. Announcements, Public Comment: Cathy Boedtke requested the 4th of July agenda item be tabled since the 4th committee was not notified. On behalf of the Town Forest Committee Cathy requested the select board change the town forest policies to an ordinance to allow for greater enforcement powers. Cathy inquired as to the status of the TF ADA policy – Glenn said it was referred to VLCT. Cathy inquired as to the debris which was dumped in the gravel pit – Glenn said the stumps are to be burned at some point with the remaining debris used in the reclamation. Glenn announced the water system at the ski area is under a sales contract. Tom suggested the idea of a special coordinator to alleviate the burden placed on the select board by the new open meeting law in an effort to expedite town business. Glenn said he would contact VLCT regarding the legality of the idea.
6. Application for Public assembly – Vt 50; Mike Silverman said the event is basically the same as last year and inquired as the status of activities at the resort. Glenn replied the event should not be impacted at all. Tom moved to grant the public assembly permit, Bruce seconded – motion passed.
7. Application for Rush Meadow Road access – Butterfield: The highway foreman approved the access contingent upon the installation of a 15" by 40" culvert. Tom Kenyon moved for initial access approval, Bruce seconded, motion passed.
8. Appoint Conservation Commission member – CC chair Ted Seigler nominated Sue Greenall for the vacant position. Glenn moved to appoint Sue, Tom seconded – motion passed.
9. Highways foreman's report – Mike stated the mowing is about done and the Bowers Bridge signs are up. Mike also stated the Sheddsville Road is complete and sight distance now meets B-71 standards. . Glenn mentioned consideration should be given to hiring an additional highway employee given the current and future work load as well as the likelihood of current employees retiring in the not too distant future. Glenn suggested we consider the idea at budget time.
10. Discuss highway grant – Glenn said the town unexpectedly received a structures grant in the amount of about 90,000 dollars to be used for a yet to be determined project. Glenn moved to execute the grant agreement to access the money – Tom seconded – motion passed.

Present:

Glenn Seward, Bruce Beckett, Tom Kenyon, Bob and Joan Calhoun, Paul Siebel, Ed Connor, Cathy
Aronoff, Cathy Beckett, Mike Spackman

1. Call to order @ 6:00 by select board Chair Glenn Seward
2. Changes/Additional: Tom Kenyon requested discussion on town hall roof repairs, burning village
power, and town block, and findings at Sevens Rd/20th.
3. Sign orders: Tom Kenyon moved to sign town clerk orders. Bruce seconded - motion passed.
4. Town Clerk/treasurer report: Cathy requested the select board's signature on a document
authorizing her to collect taxes. Tom Kenyon moved to sign. Bruce seconded, motion passed.
5. Announcements: Public Comment: Cathy Beckett requested the 2% of July spend item be
tabled since the 4% committee was not notified. On behalf of the Town Forest Committee Cathy
requested the select board change the town forest policy to an ordinance to allow for greater
enforcement power. Cathy inquired as to the status of the TEA policy - Glenn said it was
referred to M/C. Cathy inquired as to the debt which was dropped in the grant - Glenn
said the strategy and the amount at some point with the remaining debt used in the
redemption. Glenn announced the water system of the old town is under a sales contract. Tom
suggested the idea of a special coordinator to alleviate the burden placed on the select board
the new town meeting law in an effort to expedite town business. Glenn said he would contact
M/C regarding the legality of the idea.
6. Application for Public Assembly - VI 2014: Mike Silverman said the event is basically the same as
last year and inquired as to the status of activities at the resort. Glenn replied the event should not
be included at all. Tom moved to grant the public assembly permit. Bruce seconded - motion
passed.
7. Application for Bush Meadow Road access - Butterfield: The highway bureau approved the
access contingent upon the installation of a 18" by 40" culvert. Tom Kenyon moved for initial
access approval. Bruce seconded, motion passed.
8. Appeal: Conservation Commission member - CC chair Ted Soliger nominated Sue O'Connell for
the vacant position. Glenn moved to appoint Sue. Tom seconded - motion passed.
9. Highway: Glenn's report - Mike stated the following is about done and the Howard Bridge
right of way Mike also stated the Shenandoah Road is complete and right of way now open B-
V. Glenn mentioned consideration should be given to having an additional highway
employees given the current and future work load as well as the likelihood of current employees
retiring in the not too distant future. Glenn suggested we consider the idea of budget fund.
10. Highway grant - Glenn said the town unexpectedly received a grant from the
state of \$100,000 dollars to be used for a yet to be determined project. Glenn moved to
execute the grant agreement to access the money - Tom seconded - motion passed.

11. Discuss Bible Hill Relocation – Glenn stated the Calhoun’s and the Epstein’s requested the culvert adjacent to their property be replaced since it had flooded at least twice. Glenn said a hydraulic study was done and a much larger culvert is required. Glenn said the cost would be in excess of \$100,000.00. Glenn said the Brownsville Hartland Road culvert should take priority for the grant money. Glenn said to address the neighbor’s concerns, an alternative for replacing the undersized culvert on Bible Hill would be to eliminate it and reroute the road saving a considerable amount of money. Letters were sent to other neighbors soliciting input. Glenn thanked all those who submitted comments. Ed Connors inquired as to the size of the new Sheddsville Road culvert. Mike replied it was a bit smaller. Glenn said the aesthetics might be a concern. Glenn said a pipe arch could be used on Bible Hill but required raising the road about 3 feet. Ed was concerned about straightening the road too much would increase speeds for those traveling on the road. Glenn said Michael Epstein sent an email voicing his objection of the route depicted on the map for the same reason. Glenn said the map was for discussion purposes only and was not the final route. Glenn said the 50’ stream buffer would need to be maintained. Ed inquired as the effect on the Harrington Road culvert. Glenn said all the culverts in the drainage area are too small and should be up-sized. Rob Calhoun reminded everyone during Irene the water crested at his door and the threat of property damage was considerable and urged the project be approved. Paul Biebel expressed a number of concerns including, car lights on his house requiring screening by trees, increased traffic on Harrington Road, undersized culverts on Harrington Road, a the need for a large number of stop signs, project costs, and the disposition of the existing road. Tom requested more information on the pipe arch configuration for Bible hill as well as Harrington Road and wanted to be sure we are doing the right thing financially. Tom said the real problem is debris clogging the culvert. Bruce said it all boils down to priorities and should research the project further. Rob asked what the next step is – Glenn said we will continue to gather information and research legal, cost and routing issues.
12. Discuss Coaching Lane speed limit – Elvin Kaplan voiced his concern regarding increased traffic and speeds especially on Tuesday evenings with people to and from the town forest and was surprised to learn the speed limit is 50 mph since it is not posted. He said 30 mph was more appropriate. Glenn said a traffic study was attempted some time ago – Tom indicated there were not enough cars to do a study at the time, but he witnessed some traveling relatively slow at the time of the study. Tom agreed 30 mph would be appropriate. Glenn said we could arbitrarily set the speed limit but it would not stand up in court. Glenn also said the Windsor Police could have a presence as a part of their directed patrols. Tom said it was a good idea. Bruce agreed. Elvin suggested placing a 25 mph sign. Bruce agreed it was worthwhile. Cathy suggested posting the same speed limit on Coaching Lane extension and Bruce suggested placing another stop sign on Coaching Lane/ Coaching Lane Intersection. Mike said he disagreed. Tom inquired as to how it was plowed. Mike felt the existing signs were OK. Tom moved to post Coaching Lane and Coaching Lane Extension to 30 mph – Glenn seconded – motion passed.
13. Discuss Coaching Lane transfer and.....
14. Review Assessment procedure for Coaching Lane Extension – Tom inquired as to how the properties were being assessed. Bruce said the assessment goes with the property not the

owner. Glenn said the MOU dated 2012 indicates the property owners of the improved property would be assessed and the legal agreement also indicates the assessment carries to the heirs and assigns. Tom asked what happens to a lot which gets developed – Glenn responded it would be up to the property owners to address the situation and revise the agreement with the approval of the select board. Cathy asked when additional work would continue. Glenn responded at the discretion of the highway foreman. Cathy asked when the assessment will go out. Cathy A. said soon and be due in 30 days.

15. Consider request to participate in UVM road drainage project – Mike said he felt it worthwhile to participate in – Tom moved to participate in the UVM highway Drainage research Project, Bruce seconded – motion passed.
16. Rte. 44 bridge Projects – Bridge #7 complete, work to be started on bridge #4 soon with closing expected July 28th. Tom suggested additional signage at Bible Hill and Rowe Hill. All agreed it would be appropriate. Mike inquired about the status of funds from the State to compensate the town for our efforts.
17. Discuss ordinance re: ATVs in town forest – Glenn said we have a model ordinance from VLCT. Tom suggested the state ordinance should be sufficient. Bruce suggested we finalize a draft local ordinance to have on file. All agreed. Cathy asked about ATVs on trails which are not on public property – Glenn said we have little control even though some trails fall under the ACT 250 permit. Glenn said he would ask Martha to post the state ATV statute on the web site.
18. Discuss ski area closure and effect on town – Glenn said the remaining lifts are almost down and the effects on the town have been well discussed to date.
19. Discuss status of Trust for Public lands grant process – Glenn said the appraisal on the property is almost complete. Bruce asked about a meeting scheduled by TPL on the 22nd. Glenn said it was to discuss in broad terms future management of the property if the project moves forward. Bruce said he would like to attend. Glenn said the invitation was to the board chairs so as not to have to post the meeting and have minutes available to the public due to the fact the project is not a sure thing. Glenn offered to have Bruce take his place. Cathy said as a tax payer and TFC member she should be able to attend. Glenn said TPL was concerned about having what could be miss-information available to the public since it is early in the process. TPL said there would be no decisions made at the meeting and there would be ample opportunity for public and board input if the project moves forward.
20. Discuss Pedestrian Master Plan – Glenn said Mt Ascutney Prevention partnership funded an update of the 1999 plan. Glenn mentioned a meeting with RPC to discuss the details and would be including suggestions from the Safe Routes to School study. Tom mentioned concerns about the poor visibility due to parking along the road near the church and town hall. Mike suggested looking at more parking in the area of the school.
21. Consider proposal from Hartgen – Glenn said this is the archeological study we postponed pending the outcome of the sewer bond vote. Glenn moved to approve the Hargen proposal dated July 9, 2014 in the amount of \$ 11213.00. Bruce seconded, the motion passed.
22. Sheddsville Cemetery – Tom proposed fixing the remaining portion of the wall and placing a bit more fill next year.

owner. Glenn said the WCU dated 2012 indicates the property owner of the improved property would be assessed and the legal agreement also indicates the assessment carries to the heirs and assigns. Tom asked what happens to a lot which gets developed - Glenn responded it would tie up to the property owners to address the situation and review the agreement with the select board. Cathy asked when additional work would be done. Glenn responded at the discretion of the highway board. Cathy asked when the assessment will go out. Cathy A said soon and be due in 30 days.

12. Consider request to participate in UVM road drainage project - Mike said he felt it worthwhile to participate in - Tom moved to participate in the UVM highway drainage research project. Glenn seconded - motion passed.

13. 4th bridge project - bridge #7 complete work to be started on bridge #8 soon with closing expected July 28. Tom suggested additional signage at Bish Hill and Tower Hill. All agreed it would be appropriate. Mike inquired about the status of work from the 3 lots to complete the road for our efforts.

14. Discuss ordinance for ATV in town forest - Glenn said we have a model ordinance from VLL. Tom suggested the state ordinance should be sufficient. Mike suggested we finish a draft local ordinance to have on file. All agreed. Cathy asked about ATV on trails which are not on public property - Glenn said we have little control even though some trails fall under the WCU. 250 permit. Glenn said he would ask Martin to post the state ATV statute on the web site.

15. Discuss and vote closure and effect on town - Glenn said the remaining five are almost done and the effect on the town have been well discussed to date.

16. Discuss status of first of Public Lands Grant process - Glenn said the agreement on the property is almost complete. Bruce asked about a meeting scheduled by TPL on the 22. Glenn said it was to discuss in broad terms future management of the property if the project moves forward. Glenn said he would like to attend. Glenn said the invitation was to the board since as not to have to put the meeting and have minutes available to the public due to the fact the project is not a public thing. Glenn offered to have Bruce take his place. Cathy said she has paper and TPL membership should be able to attend. Glenn said TPL was concerned about having what could be mis-information available to the public since it is only in the process. TPL said they would be no decisions made at the meeting and there would be ample opportunity for public and board input if the project moves forward.

17. Discuss Forestland Master Plan - Glenn said the Advisory Commission presentation included an update of the 1999 plan. Glenn mentioned a meeting with RPO to discuss the details and possibly including suggestions from the Safe Routes to school study. Tom mentioned concerns about the poor visibility due to parking along the road near the church and town hall. Mike suggested looking at ways parking in the area of the school.

18. Consider report from Irving - Glenn said this is the archeological study we postponed pending the outcome of the sewer bond vote. Glenn moved to approve the Irving proposal dated July 9, 2014 in the amount of \$1113,000. Bruce seconded the motion passed.

19. Share with Cemetery - Tom proposed raising the remaining portion of the wall and placing a bit more fill next year.

23. Cady Mausoleum – Tom stated the need for vehicular access to the site. Tom said the access could be chained to limit access.
24. Late Fees for dogs – Tom said the state limited compensation for late fees for the town to the point where it was not worth pursuing violators.
25. EC Fiber update – Glenn said ECFiber was in the process of obtaining pole licenses and VT Telecom Authority was planning to upgrade the cable over a portion of the route which would increase its capacity. Glenn said we still need to finalize the agreement with EC Fiber and secure the required financing.
26. Police report – due to a change in records management in Windsor the report only covered may 1st thru May 15th – eleven directed patrols and 7 other calls. Tom inquired as to how we get charged for additional police presence such as the fourth of July. Glenn said he expects if the additional coverage could be managed without the need for additional personnel we would not be charged, but if more officers were needed to cover the request we would be charged.
27. Consider renewing inter - municipal police agreement – Glenn said the proposed agreement is basically the same with the exception of a clause which allows review of the rate in December for budget purposes. Tom made the motion to accept the agreement covering the period of July 1, 2014 thru June 30th 2016. Glenn seconded – motion passed.
28. Fourth of July – Tom moved to table the discussion – Bruce seconded – motion passed.
29. Tree Warden Report – Tom asked if we should continue cutting the dead elms in town. Glenn said perhaps we should wait until next year due to budget constraints – all agreed. Glenn said he gave Dennis Conley permission to cut a large branch which had fallen near the entrance to the town forest and to keep the wood.
30. Correspondence – None
31. Other Business - Tom moved to accept the proposal for the town roof repairs in the amount of \$ 1650.00 by Leone Slate roofing dated 6-14-2014 – Glenn seconded – motion passed. Tom said the drainage from Seems Road was affecting the Whiting property and asked Mike to take a look..
32. Approval of minutes – July 9th Glenn moved to accept. Bruce seconded motion passed – 19th - Tom asked the minutes be changed under the library discussion to be changed to trustees rather than directors. Glenn moved to accept. Bruce seconded motion – motion passed – June 27th, July 8th, July 10th – Glenn moved to approve, Bruce seconded, motion passed.
33. Adjourn moved to adjourn, Glenn seconded – motion passed. Meeting adjourned 9:13 PM

Respectfully submitted on July 19th , 2014

Glenn B. Seward

33. Cady Macaluso - Tom stated the need for vehicular access to the site. Tom said this access could be chained to limit access.
34. Late fees for dogs - Tom said the state limited compensation for late fees for the town to the point where it was not worth pushing violators.
35. EC Fiber update - Glenn said EC Fiber was in the process of obtaining pole licenses and VT Telecom Authority was planning to upgrade the cable over a portion of the route which would increase its capacity. Glenn said we will need to finalize the agreement with EC Fiber and secure the required financing.
36. Police report - due to a change in records management in Windsor the report only covered May 1st thru May 10th - eleven directed patrols and 7 other calls. Tom inquired as to how we got charged for additional police presence such as the fourth of July. Glenn said he expected if the additional coverage could be managed without the need for additional personnel we would not be charged, but if more officers were needed to cover the request we would be charged.
37. Consider renewing inter-municipal police agreement - Glenn said the proposed agreement is basically the same with the exception of a clause which allows review of the rate in December for budget purposes. Tom made the motion to accept the agreement covering the period of July 1, 2014 thru June 30th 2016. Glenn seconded - motion passed.
38. Fourth of July - Tom moved to table the discussion - Bruce seconded - motion passed.
39. Tree Water Report - Tom asked if we should continue cutting the dead elm in town. Glenn said perhaps we should wait until next year due to budget constraints - all agreed. Glenn said he gave Donna Conley permission to cut a large branch which had fallen near the entrance to the town forest and to keep the wood.
30. Correspondence - none
31. Other business - Tom moved to accept the proposal for the town roof repair in the amount of \$150,000 by Leone State roofing dated 6-14-2014 - Glenn seconded - motion passed. Tom said the damage from Sears Road was affecting the Whiting property and asked Mike to take a look.
32. Approval of minutes - July 9th Glenn moved to accept. Bruce seconded motion passed - 10 - Tom asked the minutes be changed under the liberty discussion to be changed to trustee rather than director. Glenn moved to accept. Bruce seconded motion - motion passed - June 1st, July 8th, July 10th - Glenn moved to approve. Bruce seconded, motion passed.
33. Adjourn - moved to adjourn, Glenn seconded - motion passed. Meeting adjourned 8:12 PM

A respectfully submitted on July 12th, 2014

Glenn S. Seward