

West Windsor Selectboard
Draft Minutes
April 25, 2016

Present: Dick Beatty, Tom Kenyon, Win Johnson, Laura Farrell, Deb Shearer, Steve Carihfield, Jim Lyall, Martha Harrison, Cathy Archibald, Tom Kennedy, Dan Potter, Steve Bodley, Chris Callahan, Mark Lather, Patrick O'Grady (Valley News), George Calver (VT Standard), Mike Spackman, John Cocke, Ted Siegler

- 1) Call to Order – Selectboard Chair Dick Beatty called the meeting to order at 8:00 AM.
- 2) Changes or additions to the agenda – Tree Warden report; status of pending items; recent bond issues - Win asked Cathy for a list of recent bond issues and how much of each has been expended
- 3) Announcements/Public Comment – Tom said it's the first time in his life that every house in the village is occupied. Tom also noted that Household Hazardous Waste Day is May 14 at the Springfield Transfer Station from 9:00 AM to 1:00 PM, and on May 21 at the Windsor Goodyear Building from 9:00 AM to 1:00 PM.
- 4) Sign Town Clerk's orders – **Win moved to sign orders at the end of the meeting. Tom seconded the motion, which passed unanimously.**
- 5) Town Clerk/Treasurer's Report – None
- 6) July Fourth police coverage – Tom said the town pays for the insurance for the event and the regular police coverage. **Tom made a motion that, if the July Fourth Committee wants additional police coverage, they should pay for it.** Win asked if that's in line with past practice. Tom said there was some discrepancy last year but now that they're operating through the fire department, he doesn't think the town should cover it. Cathy Archibald agreed. Win said if we're doing something different, we should let them know. **Win seconded the motion, which passed unanimously.** Tom asked Martha to notify the committee.
- 7) Appoint EC Fiber delegates – Martha said Dave Halpert and Ken Parrot are willing to continue to serve. **Win moved to appoint Dave and Ken. Tom seconded the motion, which passed unanimously.**
- 8) EC Fiber update – Martha said West Windsor is currently in 6th place in the competition for a town-wide build-out. Martha said she thinks we'd be in pretty good shape if we were 5th and noted that the competition ends in five days. Win said most of the people who have signed up are listed as "anonymous" so it's hard to know who has signed up and who hasn't. Chris said he can get both high-speed internet and phone service from EC Fiber for less than he's paying his current service provider, which he thinks is a great selling point. Dick said he has switched to EC Fiber and has not had any problems. Martha said she asked Brian Quirk to reach out to second homeowners.
- 9) Tank removal & cleanup of contaminated soil @ maintenance garage – Ted provided some background information on the situation and described the Phase I and Phase II studies that were done. Ted said the conclusion was that the 20,000 gallon tank either had to be removed or put back in service and monitored, but the soil could remain in place as long as it wasn't disturbed. Ted said when the tank was removed the contractor found gas-contaminated soils, which were removed and shipped. Ted said that's okay because gas is fairly volatile and moves fairly quickly. Ted said the contractor then excavated diesel and oil contaminated soils, which should have been left in the ground but, now that they've been excavated, they should either be stockpiled on site or hauled away, which is costly. Win noted that the state gave the town mixed messages with regard to the gas-contaminated soil. Ted suggested that the town review its options before making a decision on the oil-contaminated soil. Ted said the town might be able to obtain Brownfields funding through the Regional Planning Commission (RPC). Tom Kennedy and Dan Potter from the RPC were present. Dan, who has talked with Matt Becker, the Project Manager for the state, agreed with Ted's summary. Ted said oil-contaminated soils don't vaporize and they degrade over time, which is why they are usually left in the ground. Tom noted that there was a vertical culvert on the site, with an open bottom, where waste oil was dumped. Tom said it's unknown what else may have been dumped there. Tom said the contaminated soils are within 5 or 6 feet of the brook. Ted said extensive sampling was done as part of the Phase II study so we do know what chemical compounds were present. Ted said there are other contaminants under the slab for the maintenance garage, which is

why it can only be used for storage and not as a classroom, for example, unless a vapor extraction system is installed. Ted said the town has to decide how clean it wants the site to be and how much money it wants to spend cleaning it. Ted suggested that Martha contact Alan Liptak. Dan said funding options include the Petroleum Cleanup Fund, which has a \$10,000 deductible; the RPC's revolving loan fund, which would require a corrective action plan; or reimbursement through the state's assessment program, which is unlikely. **Win moved to ask the contractor to cease and cover the stockpiled material until we can get more advice on how to proceed.** Tom Kennedy suggested that Dan Potter talk to Alan Liptak and the state officials and coordinate with Martha. Dick said that would be welcome. **Tom seconded the motion, which passed unanimously.**

- 10) Review and consider signing Lease Agreement with Mt. Ascutney Outdoors (MAO) – Dick said Matt Birmingham is okay with the final draft of the lease. Steve Carihfield said MAO is planning to adopt revised bylaws on May 1st. Dick asked Steve if he is authorized by the MAO Board to sign the lease on their behalf. Steve said yes. Steve asked if the lease can be dated May 1, 2016. The Selectboard agreed. **Win moved to approve the lease, effective May 1, 2016. Tom seconded the motion, which passed unanimously.**
- 11) Consider appointing ex-officio member of the MAO Board of Directors – Dick said he would like to postpone this item until the next meeting. Tom and Win agreed.
- 12) Consider closing Bowers Bridge to vehicular traffic – Steve Bodley recommended holding off on repairs until a claims adjuster has looked at the damage. The bridge is currently closed. Dick asked for a rough estimate of the cost to repair the damage. Steve estimated about \$800. Martha said she has contacted both the town's insurer and the truck driver's insurer and has provided the driver's insurer with photos but they also need a detailed estimate. Steve gave the Selectboard the bill for the repairs he did prior to the most recent damage. John Cocke said he has been an eye witness to past damage on three occasions and would like to see the bridge closed to all but pedestrians, bicycles and horses. Dick said if we're going to restrict the bridge to non-vehicular traffic, we would have to reclassify that portion of Bible Hill Road as Class 4, or as a Legal Trail. Tom suggested a removable barrier so an emergency vehicle could still get through if necessary. John suggested a gate. Steve felt that, if it's going to be closed, it should be closed to all vehicles, including emergency vehicles, which could be too heavy for the bridge. Mike said we haven't had any issues with the Best Bridge. Mike said he would like the bridge to be put back the way it was, with the restricted openings removed, and he would like it to remain open to vehicular traffic. Win asked if there is a difference between the Best Bridge and the Bowers Bridge. Steve said the Bowers Bridge is longer; because the Best Bridge is shorter, the underside is stronger. Steve thinks overweight vehicles will continue to use the Bowers Bridge if it remains open. John agreed. Reclassifying the section of road that includes Bowers Bridge could take up to 90 days. Tom said the neighboring property owners would like yield signs at the intersection north of the bridge. Ted suggested using video cameras to monitor the bridge. Dick said he thinks that would make sense. Win suggested speed bumps. Mike said they're difficult to plow over. Ted suggested lowering the road on one or both sides, which would create de facto speed bumps, and would protect the bridge in a future flood by giving flood waters somewhere to go. **Win moved to table the issue pending the scheduling of a site visit. Tom seconded the motion, which passed unanimously.** Ted asked the Selectboard to notify the Conservation Commission (CC) when a site visit is scheduled.
- 13) Discuss use of maintenance shed parcel - Now that the lease between the town and Ascutney Outdoors has been signed, Win encouraged the CC to get together with AO as soon as possible to finish the community forest management plan, including the recreational element. Ted said he would like the Chair of the CC to be appointed as an ex-officio member of the AO Board. Ted added that there's a Dartmouth College study group working on a number of issues associated with the plan. Steve said AO is having a meeting on May 1 and invited Ted to attend, not as the town's official representative, but as the Chair of the CC. Dick said he'd like AO to present their ideas for the maintenance parcel. Laura said she had submitted a letter to the Selectboard expressing AO's interest in talking to AT&T about the cell tower location. Dick said the town negotiated to have the telecommunications easement moved as far to the west as possible. The town could consider asking them to move it again but it would not be easy and it would be helpful to know what AO's vision is before doing that. Ted said in addition to the existing

telecommunications easement, MFW has the right to put another telecommunications facility somewhere on the parcel so the maintenance parcel may not be the best place to build a lodge. There was discussion about possible locations for a lodge and whether or not to move the booster pump building. Dick said if the booster pump building is going to be located on the maintenance parcel then the town will have to deal with MFW Associates. Laura asked about the process if AO wants to build a base lodge slightly to the east of the existing old lodge. Dick said it's okay to build within the footprint of the existing lodge, otherwise, the location may have to be negotiated. The Selectboard asked AO to keep them informed of their progress through Martha.

- 14) Highway Foreman's report – Field Show: Mike asked for permission for the highway crew to attend the field show in Barre on May 11th. **Tom moved to approve the request. Win seconded the motion, which passed unanimously.** Parking lot: Mike said the mountain ditch-culvert project is done and the excavator work was \$1,600 but he doesn't want the funds taken out of the highway budget. Grants: Mike said all grant applications have been submitted. Job opening: The new hire ad has been published in the local papers. Martha asked Mike if he wants to run the ad in the VT Standard again this week. Mike said yes. Coaching Lane-Route 44 intersection: Mike said when we hear back on our grant application, we'll decide whether or not to proceed with the project. Hotel Road: Mike suggested doing part of the project one year and finishing the following year. Mike said the town could remove the crumbling pavement and the sub-base and put in a new sub-base with hard-pack on top and then decide the following year whether to pave it or not. Mike said the town could use money from the "Road Refurbishment" Fund. Win suggested notifying Hotel management. Mike said he wants to wait to hear about the grant before deciding which project to pursue this year. Mike said he re-inspected the Hotel Road culvert and determined that it does not need to be replaced at this time. At a minimum, Mike suggested removing the asphalt from Hotel Road from the Hotel entrance to Skyhawk Lane and replacing it with hardpack. The Selectboard asked Mike and Martha to draft a letter to Hotel management.
- 15) Highway employee request re: health insurance – Win said if it's not our policy to allow this, then we can't do it unless we change our policy. **Win moved to deny the request. Tom seconded the motion, which passed unanimously.**
- 16) Water System – Leak detection: Martha said there's a grant available that would allow us to have our system evaluated for leaks and, since Patricia is fairly sure we have leaks, it would be good to apply. In the past, you had to have complete "as built" plans in order to apply but that's no longer the case. **Dick moved to submit a leak detection application. Tom seconded the motion.** Win asked who would do the work. Martha said the state is contracting with a couple of companies. Win was concerned about grant management in terms of work load. Dick said since our water system has issues, we should take advantage of this opportunity regardless of work load. **Dick called for a vote on the motion, which passed unanimously.** Budget: Win has some concerns about mixing capital and operating costs, as well as some other questions, but said he thinks it's fine to submit the draft 2017 water budget to the state as part of our loan application. Regarding sewer repairs and maintenance, Win asked Mike if the fire department helps flush the sewer mains every fall as A+E recommends. Mike said no. Win said maybe we should start. Fire pond dredging: Dick said it's his understanding that dredging is not part of our plan. Martha said the town can't get funding through the Drinking Water loan program to do that work but she thought Mike was in favor of it. Mike said he is in favor of doing it to increase the volume of water in the pond but he doesn't know where the money will come from. Win said when the water system was set up, all of the capacity was allocated, without any provision for fire protection. Tom said he thinks the snowmaking system was used for fire protection. At some point, Win said, hydrants were connected to the drinking water system and, now that the snowmaking system is defunct, the town is required to allocate 60,000 gallons of drinking water for fire protection. Win said the only way around that is to remove all hydrants from the domestic water supply. Mike did not like that idea. Win asked Martha to send Dick a copy of the allocation matrix. Dick said he thinks the fire pond is on property owned by Mts. Edge Condominiums. Mike said he'd like to have a dry hydrant connected to the pond in front of the Windham Building, which would be paid for with a grant. Mike said he'd also like to install a hydrant at the fire station and feed it into an existing line under the bridge to a stand pipe on the north side of Hotel Road between the Windham and Bennington buildings. Mike is working on grants for both hydrants.

Mike said dredging the pond should also be done because it protects a whole different area. Mike suggested that Mts. Edge pursue a grant to dredge the pond through Rural Fire Protection Program Manager Troy Dare. Martha asked if the fire pond is also part of the stormwater system. Mike said he thinks it may be. Martha suggested that we consider forming a stormwater/fire protection association so that everyone is contributing to the maintenance. Dick said he thinks dredging the pond should be paid for by the users of the water system. Temporary electrical permit: Martha said she talked to the new inspector for our area and he doesn't think it will be an issue to renew the permit although he may want to do a site visit. Security fence: Martha said Patricia has been asking for a fence around Reservoir #2 & #3 and the associated costs are loan eligible. Tom asked if adding another 60,000 gallon tank would solve our allocation problem. Win said we can't add another tank with the funds we have available and, when we do add another tank, we may have to increase the size of our booster pumps. Martha said when the current project is done, A+E wants to do a long range plan for the water system, which will include additional storage.

- 17) Adopt Local Emergency Operations Plan – Martha said the town has to update the plan every year after town meeting. Martha said she updated it and ran it by Emergency Management Coordinator Jim Kenyon. **Win moved to authorize either Martha Harrison or Tom Kenyon to sign the Plan on behalf of the town. Tom seconded the motion, which passed unanimously.**
- 18) Brook Road property demolition – Martha said we need to find out if there's asbestos on the property so she has asked Dana Arey and Cliff Harper for estimates to do an asbestos inspection. Once we have an assessment, we can attach it to the RFP for the demolition but we only have 90 days, starting on the closing date, to complete the demolition.
- 19) Consider signing contract for Town Hall clock work – Dick said the proposal is dated March 12, 2015 and asked if the price has changed since then. Tom said no; the price is the same. Win asked about the work that has to be done, in addition to the work that Balzer is proposing. Tom said there's some minor work, such as wiring. Tom said we'll also need an enclosure but that can wait. Dick noted a \$5,000 down payment. **Win moved to approve the contract and authorize the Chair to sign on behalf of the Selectboard. Tom seconded the motion, which passed unanimously.**
- 20) Consider signing contract for Town Hall heating system – Tom said the propane hot water system is the best system for this building because there's no insulation in the walls. Tom said there will be separate furnaces for upstairs and downstairs. Tom said the funding will come from the Reserve Fund. Tom said removing the air ducts will reduce the fire hazard. Win asked if the removal and disposal of the ducts is included in the contract. Tom said yes. Tom said what we don't know is the cost of removing the oil tank. Martha said she forwarded a quote from Cliff Harper for removing the tank. Regarding the options for conflict resolution with regard to this contract, the Selectboard decided to go with non-binding arbitration. Win said we ought to do an analysis of the Reserve Fund to make sure there's enough to cover all these projects. **Win moved to approve the contract and authorize the Chair to sign it. Tom seconded the motion, which passed unanimously.**
- 21) Other Business – Calkins Excavating: Martha said Dana Calkins just called; he has not completely finished excavating the diesel-contaminated soil and asked if the Selectboard wants him to stop. Win said that's the advice we got; cover what's been dug and don't dig any more. Tom had an estimate from Calkins for removing the remaining contaminated soils. Tree Warden: Tom said there's a section of Rush Meadow Road that needs two day's of tree work but it can wait until fall. Bridge Repair bill: Dick had an invoice from Steve Bodley for \$428.46 for the repairs to Bowers Bridge that preceded the most recent damage. **Win moved to authorize payment. Tom seconded the motion, which passed unanimously.** Insurance: Dick said Matt Birmingham has advised the town to make sure our insurance company knows about the rope tow. Win suggested sending them a copy of the lease. Status of pending items: Win said we need to revisit the conflict of interest policy, the rules of procedure, the sewer ordinance, and the personnel policy. Win asked Martha to send him a copy of the 2016 sewer budget. Martha said she is not sure we have a final sewer budget. Win said we're going to start paying debt service so we have to have a handle on the budget and the rates. Dick asked Martha to check with Windsor to see when they're going to put the generator in at pump station #2.

- 22) Approve Minutes - March 28, April 4, April 7, April 11: **Tom moved to approve the minutes. Dick seconded the motion, which passed with Win abstaining.**
- 23) Town Clerk's orders – Cathy asked where the payment to Dan Lesnick for the ditching work and the work on the stormwater pipe in the parking lot is coming from. After discussion, the Selectboard agreed that the expense should be coded to “special projects.” Win asked Cathy if the town has paid EC Fiber for the initial line. Cathy said she'll have to check. Win noted that, while the town agreed to pay EC Fiber for the construction, EC Fiber also agreed to pay the town for the debt service. Cathy noted that the Town Hall roof work is done so we'll be getting a bill for that too.
- 24) Other Business (continued): Equivalent users: Martha said we need to review and finalize the number of equivalent users for the village sewer system. Water system management: Win asked if Patricia is the manager of the water system. Martha said Patricia is the operator but she could do additional work for us. Town & Highway Budgets: Tom suggested that we review the budgets in June. Schedule meeting: The Selectboard scheduled a site visit to Bowers Bridge for Wednesday, May 4, at 11:00 AM.
- 25) Adjourn – **Win moved to adjourn at 10:48 AM. Tom seconded the motion, which passed unanimously.**

Respectfully submitted,

Martha Harrison