

West Windsor Selectboard
Draft Minutes
August 12, 2019

Present: Win Johnson, Brett Myers, Matt Kantola, Martha Harrison, Tom Kenyon, Cathy Archibald, Aaron Gonthier (Windsor on Air), Erik Boedtke, Edwin & Gene Ann Kinney, Colin & Chris Eggleton, Peter Varkonyi

- 1) Call to Order – Selectboard Chair Win Johnson called the meeting to order at 6:30 PM.
- 2) Changes or Additions – Discuss consent agendas under “Other Business.”
- 3) Public Comment – None
- 4) Sign Town Clerk’s orders – **Brett moved to sign orders. Matt seconded the motion, which passed unanimously.**
- 5) Application for a wedding by Edwin & Gene Ann Kinney from 2:00 PM on October 5th until 2:00 AM on October 6th at 3539 Route 44 – Win asked about the 2:00 AM end time. Gene Ann said she just put that down in case someone hangs around later than expected; the DJ will be done at 11:00 PM so she expects everyone will be gone by midnight. Win asked if they have talked with their neighbors. Gene Ann said yes. Win asked about parking. Gene Ann said parking will be by the sugar house. **Brett moved to congratulate the bride and groom and approve the event. The motion passed unanimously.** Martha noted that Route 44 is a state highway. Win said there’s good sight distance, but asked the Kinneys to make sure people are careful going in and out. Gene Ann said they’re going to put up signs.
- 6) Town Forest parking lot discussion – Win said the Conservation Commission (CC) discussed a STAB proposal to install a port-a-potty and picnic table at the trailhead in the Town Forest parking lot. Win added that the CC passed a motion to authorize STAB to install and service, weekly, a port-a-potty for a three-month period with use to be reviewed three months after installation. Win said they also voted down the recommendation for a picnic table. In addition, Win said, the CC discussed the Conservation Easement and the Town Forest Management Plan at their last meeting. Win said the Easement and the Management Plan both mention the problems associated with human waste, so you can make an argument that the installation of a port-a-potty is permissible, at least on a temporary, experimental basis, but picnic tables are not mentioned in either document. When STAB President Colin Eggleton arrived at the meeting, Win read the CC’s recommendation that the Selectboard authorize STAB to install and service a port-a-potty and asked Colin if STAB would take responsibility for finding a vendor, establishing service, paying for it, and reporting to the CC. Colin agreed. Win also noted recent concerns expressed about noise and traffic at the parking lot and said he agreed to talk with Mike Spackman about signage and to consider a curfew of 10:00 PM for use of the parking lot. Win asked Colin if STAB had supported the installation of a picnic table. Colin said some STAB Board members liked the idea and some didn’t. Matt said he is the main supporter of the installation of a picnic table. Brett asked if people are worried that visitors will congregate in the parking lot if there’s a picnic table there. Matt said there was some talk about that. Brett asked if there have been complaints about noise. Win said yes. Matt said there have been complaints about the Tuesday Night rides. Win said the CC has recommended a port-a-potty on a trial basis, but they have not recommended a picnic table. Colin said he is hoping the picnic table proposal can be revisited during ongoing discussions on the Town Forest Management Plan. Win agreed that would be the appropriate time to revisit the issue. Matt said the plan is to make continuous improvements that have a positive impact. **Win moved to approve allowing STAB to have**

a port-a-potty in the Town Forest parking lot, on a trial basis, for a period of three months. Brett seconded the motion, which passed with Matt abstaining.

- 7) Report on demolition of abandoned ski area structures – Win said Glenn Seward has provided a written report on the demolition progress: Just under \$3,200 has been spent so far on dumpsters and the rental of an excavator to demolish valve house #1, valve house #2 and the East Chair unloading ramp, and to truck all materials to the bottom of the mountain and place them in a dumpster. The mid-station triple chair ramp has also been demolished and the debris has been stock piled out of sight. Win said Glenn thinks the unloading ramp at the top of the triple can be disassembled manually by a work crew, perhaps including the paragliding group. The structures still left include the old pump house, the ski patrol building at the top of the triple, and whatever is at the top of the quad. Colin said he thinks the lift shack is the only thing left at the top of the quad. Win said Ascutney Outdoors wants to save one building as a winter gathering place. Brett noted that there was no charge for the labor or the dump truck. Win asked Cathy to set up a “Town Forest expenses” account.
- 8) Retaining wall between Butcher & Pantry and Fire Station – Win said the work was done by the Town road crew and Mike estimates the labor and equipment will total about \$2,400. Win said since the work was done on behalf of two private entities, he thinks the Town should ask them to split the cost. Matt asked if there were any permits for the project. Win said apparently not. Win said the concrete blocks were surplus from the removal of the dam behind the fire station. Matt said typically the Town doesn’t do work for private entities. Speaking as the Fire Chief, Erik said it was his understanding that the project was brought to the Selectboard by Mike and then voted on by the Fire Department at their monthly meeting. Win said no; Mike presented the idea to him and he forgot to present it to the Selectboard. Erik said it was his understanding that there was no cost to the Fire Department. Erik added that there was an error and now the Town is reacting to an anonymous letter and asking two organizations that did their due diligence to pay for that error. Win said he made a mistake and he takes full blame for it. Erik said he doesn’t have approval from the Fire Department to spend any money on the project. Win said regardless of how it came to the Town’s attention, it’s a valid issue – the concern about the Town working on private property. Win noted that the Town uses the Fire Department’s tanker and he thinks the Fire Department should deduct that cost from any bill they pay for this project. Peter said the Butcher & Pantry (B&P) agreed to do this because the Fire Department needed more parking space, and they were fixing an erosion issue. Peter agreed that they should have gotten a permit and made sure the Selectboard was correct. Peter said B&P agreed from the beginning to contribute to the crushed stone and labor costs. Peter said the Town has a firm policy that anonymous letters are not taken into consideration. Matt said even without the letter, there’s still a problem. Peter said he had to shut down the kitchen to be here, which makes his business lose money, because the Selectboard put something on their agenda without telling him. Peter said this is the third time and he’s tired of these miniscule issues. Peter added that Mike Spackman should be here. Win said Mike is on vacation. Peter said his problem is with the procedural methods that this board has taken with the B&P, which he considers punitive and harassing. Erik said he just wanted to describe on the record how this came about; he doesn’t want anyone to think they just threw up a wall, with no approval, using Town equipment. Brett asked if the Fire Department would be willing to pay for some of it. Erik said he cannot say that the Fire Department will pay; they vote on everything they spend. Brett asked if they thought it would happen for nothing. Erik said a motion was approved to create the wall at an extremely reduced cost, much less than \$1,200. Erik said he is not in favor of billing back the Town for the use of Fire Department apparatus, which would far surpass the \$1,200 for the

wall. Erik said the Fire Department and the Highway Department have always helped each other and that is worth way more than \$1,200 to him. Matt said he thinks the project is great, the problem is with the procedure. Win said if the Selectboard wants to continue with past practice not to react to anonymous letters, which is a practice not a policy, then they can just let it go but there is an issue with private inurement. Cathy asked if she should bill the store for the materials. Peter said they also agreed to pay for the labor to construct the stairway between the fire station and the store. Matt suggested that the two organizations pay for the materials and call it done. In retrospect, Erik said, he agrees that there's an issue with private property. Win said he made an error and it won't happen again. Tom said he has put 44 years into the Fire Department and never charged the Town a dime and he things it's an insult to be concerned about who gets charged what. Matt said Town equipment was used to do a private project. Tom said the Town contracts with the Fire Department every year. Win said he suggested that the Fire Department deduct that from the bill, but we're tabling the issue.

- 9) Highway - Agricultural highway access application for 325 Cemetery Road (Hermanson): Martha said Mike suggested to Jeffery Hermanson that he apply for an access so he can cross over the area where the highway crew did some drainage work. Win said it's basically tractor access to a field. **Brett moved to approve the access. Matt seconded the motion, which passed unanimously.** Sign highway structure grant agreements to replace culverts on Harrington Road (2) and Rush Meadow Road: Win said the Town received three structure grants to replace culverts. Martha said the grant period ends in December of 2021, so we're going to try to do one this fall and two next year. Tom asked about the total grant amount. Martha said it's approximately \$310,000 for all three, and the Town has to contribute a 10% match. **Brett moved to authorize Win to sign the three grant agreements. Matt seconded the motion, which passed unanimously.** Sign stream alteration permit application (Harrington Road): **Brett moved to authorize Win to sign the permit application. Matt seconded the motion, which passed unanimously.**
- 10) Water & Sewer Utilities – Consider estimate to repair & paint treatment building: Martha said David Silvester has provided an estimate of \$1,500. **Brett moved to authorize an amount not to exceed \$1,500 for David to do the work. Matt seconded the motion, which passed unanimously.**
- 11) Conservation Commission resignation – Win said Cathy Boedtger has resigned from the Conservation Commission. The Commission is talking with two possible candidates to fill the position but, in the meantime, **Win moved to accept the resignation and send Cathy a letter thanking her for her service. Matt seconded the motion, which passed unanimously.**
- 12) Vote to retain all Glebe lands in West Windsor – Win said all Vermont towns with Glebe lands have to take action to retain those lands before January 1, 2020. **Brett moved to retain West Windsor's Glebe lands. Matt seconded the motion, which passed unanimously.**
- 13) Tree Warden's report – Tom said Rice Tree did three or four days of cutting and they have a few more days to go. Tom said the pine tree by the maintenance garage on the mountain is 160' tall and Glenn Seward has suggested that it would be in the Town's best interest to have it removed. Tom said we'd have to have Miller Construction take it down and it would not be cheap. Win asked if Jon Murphy could do it with his crane. Tom said he doesn't know. Win said if it's within the tree removal budget, then Tom should go ahead and do it. Tom said he had a maple tree removed from the Sheddsville Cemetery and thanked the highway crew and Dan Lesnick for hauling fill to level it off.
- 14) July Police report – Matt noted a drug bust on Coon Club Road.

- 15) Other Business – Consent agenda: Win said a consent agenda would allow the Selectboard to approve a number of items with one vote that they now have to take up individually. Since Brett had not reviewed the information yet, the Selectboard agreed to table this item.
Retaining wall: There was brief additional discussion about concerns regarding the retaining wall (item #8) and the posting of agendas.
- 16) Approve Minutes – **Brett moved to approve the minutes of July 22nd and August 1st.
Matt seconded the motion, which passed unanimously.**
- 17) Adjourn – **Brett moved to adjourn at 7:22 PM. Matt seconded the motion, which passed unanimously.**

Respectfully submitted,

Martha Harrison