

West Windsor Selectboard
Draft Minutes
August 22, 2016

Present: Dick Beatty, Tom Kenyon, Win Johnson, Mike Spackman, Cathy Archibald, Jim Ryll, Martha Harrison

1. Call to Order – Selectboard Chair Dick Beatty called the meeting to order at 8:00 AM.
2. Changes or Additions to Agenda – AO financial report; VLCT budget workshop; police report; Jim Ryll was present to discuss Resort signage.
3. Public Comment – None
4. Town Clerk/Treasurer’s Report – None
5. Sign Town Clerk’s orders – **Tom moved to sign orders. Win seconded the motion, which passed unanimously.** Win noted that the recent tree removal expense should be charged to the water system.
6. Resort signage – Jim Ryll was present on behalf of Orange Lake to inform the Selectboard that he will be changing the signs at the resort but not changing the size or location. Jim said he thinks the power for the lighting for the signs comes from the nearby sewer pump station and he’s wondering if Orange Lake can buy the power to light the signs from the town. Dick noted that, when the town purchased the mountain property, there was an easement in favor of Orange Lake for the signs. Dick said he believes the easement indicates that Orange Lake will be responsible for the energy needed to light the signs. Dick said if Green Mountain Power can provide a separate reading for the signs, it would be fine with him. Win suggested that Orange Lake have a separate meter installed. Tom agreed. If they can’t get a separate meter, Jim asked if the town would consider allowing Orange Lake to buy power from the town. Win said he thinks the town wants Orange Lake to have power for their signs and will help make it happen. Win asked Jim if he could provide the new information that will be on the signs.
7. Application for Public Assembly: Brownsville General Store – Win asked if people can park at the fire station. Mike said no. Tom said people can park on the side of Route 44, beyond the “No Parking” sign. **Win moved to approve the application. Tom seconded the motion, which passed unanimously.**
8. Application for temporary Highway Access: Tom Kenyon (514 Brook Road) – Tom said the access is needed so trucks can go on the other side of the telephone pole to reach the landing for the wood removal. Tom said when the work is done, the access will be removed. Win asked about sight distance. Tom said there is plenty of sight distance. Mike had no objections. **Win moved to approve the access. Dick seconded the motion, which passed with Tom abstaining.**
9. Sewer access road work (off Ski Tow Road) – Martha said the Town of Windsor asked West Windsor to improve the road so they can access the portion of the sewer line that comes down through the woods near Mountain’s Edge. Mike Spackman said he met with Mike Reynolds. Mike Spackman described the situation and said the sewer line needs to be excavated where the pipe is exposed to determine the nature of the problem. Once it’s repaired, Mike Spackman said there should be a clean-out or a manhole installed. Mike Spackman said heavy equipment has to be able to cross over that pipe to get out to the next section. Mike Spackman said there could be dirt getting in the sewer line. Mike Spackman said Mike Reynolds suggested we get a contractor in there to dig it up so we can figure out what we need to do to fix it. Win said this goes to Martha’s point about the town needing to have someone on retainer that we can call in situations like this. Tom Kenyon said he thought Windsor was maintaining our sewer system. Mike

Spackman said he thinks this is repair, not maintenance. Win said it's a gray area in our agreement with Windsor. Win said when he and Martha met with Tom Marsh, Tom said Windsor will cover maintenance and minor repairs but major repairs will have to be done by West Windsor. Mike Spackman noted the work that needs to be done to the road so Windsor can get out there in the winter. Win asked if Mike Reynolds will work with our excavator to figure out what the problem is and how to fix it. Mike Spackman said yes. Mike Spackman said the town will need to clear some trees and brush and, if Windsor needs to get out there in the winter, West Windsor will need to clear the snow. Dick suggested mentioning this issue at the Utility Committee meeting this afternoon. Tom said he doesn't know how much it's going to cost. Mike agreed that we don't have a cost estimate. Dick said it should be an expense of the sewer users, not the town. Martha said she doesn't know if this is one of the improvements that A+E recommended in their studies. Tom asked who is going to oversee the work. Mike said Windsor will have to be there when the pipe is excavated. Win asked who the contractor should be. Mike suggested that Dan Lesnick work with Mike Reynolds and agreed to contact Dan. Tom offered to be present when the work is being done. Martha said if this is one of the recommended improvements, and there are others in the immediate vicinity, we might be able to save money by having several of the improvements done at the same time. Dick suggested checking with Aldrich + Elliott. Tom said this issue needs to be addressed right away.

10. Village sewer maintenance contract – Martha said, in most cases, the homeowner takes care of the service connection but the provisions of our sewer grant require us to own and maintain the connections in the village so we should have a contract with someone we can call when issues arise. Martha suggested asking A+E to develop an RFP for us. Win said, for the homes on the mountain, we need to clarify where the town's responsibility for water and sewer stops. Win said he thinks we need to clarify that before we do an RFP. Martha said currently, when we have a water problem, we call Patricia and she determines whose side of the curb stop the problem is on. Tom said he thinks Windsor should maintain the sewer system, including the service connections in the village. Win said we also have to determine if the town owns from the main to the edge of the right-of-way and it may be different for water and sewer. Win said he thinks we need to get the ordinances cleaned up before we do an RFP. Dick said we're just talking about a maintenance contract for the village sewer at this point. Win said he doesn't object to asking A+E for a draft RFP but we need to get together with A+E and Patricia and finalize all this. Dick said we've already had two issues with the village sewer service connections and the system has only been operating for six weeks. Tom said he would prefer to have one contractor taking care of the whole sewer system. Win said we're already going to have two contractors for the homes on the mountain – the town's contractor and the homeowner's contractor - so he doesn't think it matters whether we have one or two for the village. Dick suggested getting an RFP for the village. Win said he'd like to meet with A+E and Patricia.
11. Highway Foreman's Report – Mike said the Coaching Lane intersection is done but he's still monitoring it for washouts until the grass is established. Tom asked who owns the portion of the road that was abandoned. Mike said the state owns it. Mike said 2/3 of the mowing is done. The grader was out of service for a week but it's been repaired and now the loader needs to be repaired. Win asked about Hotel Road. Mike said he still needs to look at the budget before making a decision. Win said he thinks the depression on Brownsville-Hartland Road, above Coon Club, is getting worse. Mike said the cracks are not wider but he's keeping an eye on it. Mike said, according to Jason Rasmussen, we might be eligible for funding to get that repaired.
12. Request re: approval process for work associated with EC Fiber's town-wide buildout – Martha said Ken Parrot asked the Selectboard to consider authorizing Tom, as Tree Warden, and Mike,

as Highway Foreman, to make decisions about working in the town right-of-way. Tom said he likes the current process. Win said EC Fiber is going to need to fast-track in order to complete the buildout by the end of 2017 and he thinks we should do whatever we can to work with them. Dick said, since we're only talking about work in the town right-of-way and not work on private property, he thinks the Selectboard could delegate responsibility to Tom and Mike. Mike said he thinks he and Tom should look at it and then make a recommendation to the Selectboard. Tom agreed that final approval should be granted by the full Selectboard. Dick asked Martha to draft a motion for the Selectboard to consider at their next meeting. Dick noted the criteria on which the approval would be based, which include contacting Dig Safe, burying the conduit at least three feet or encasing it in concrete, compacting soil every six inches with the top six inches being hard pack, contacting the highway foreman before work begins, and providing a Certificate of Insurance. Win suggested that the Selectboard create a sub-committee consisting of Tom and Mike to review these situations and grant approval, with the approval to be confirmed by the Selectboard. Win asked Mike if EC Fiber can reduce the number of road crossings by running conduit along the road. Mike said no; not if it's going to be in the right-of-way. Mike said crossings should be 90 degrees from the pole with no conduit running parallel to the road in the right-of-way; it's a maintenance issue. There was no objection to the sub-committee concept.

13. Consider adopting Cemetery Road Speed Limit Ordinance – Win said speed ordinances now have to be based on a traffic study, not just on the characteristics of the road or the neighborhood. Win noted that several of the Selectboard's previous actions were not based on traffic studies. Martha said the Bible Hill, Harrington Road and Coaching Lane speed limits were not based on traffic studies. As a result, Mike said, the speed limit is not enforceable on those roads. Tom noted that it is grandfathered after a certain number of years. Martha said after five years it's valid even if it was not based on a traffic study. Mike said a study was done on Hammond Hill. Win said, if we adopt a unified ordinance, should we include the ones that were not established according to statute. Dick said he's okay with adopting an ordinance for Cemetery Road. Win suggested including all the roads that have legally established speed limits in one ordinance. Win asked about the process, which Martha explained. **Win moved to put the adoption of a unified speed limit ordinance on the agenda for the Selectboard's next regular meeting. Dick seconded the motion.** Tom asked if we can go ahead and post Cemetery Road for 30 MPH. Dick suggested waiting until after the ordinance takes effect. Win agreed with Tom that we should post it now and Dick withdrew his objection. Martha said Brook Road is posted at 30 MPH but she has not been able to find a traffic study for it so she doesn't know whether it should be included in the unified ordinance. Mike said he remembers a study being done on Brook Road and the speed limit has been 30 MPH for more than five years. The Selectboard agreed to include Brook Road. **Dick called for a vote on the motion, which passed unanimously.**
14. Consider adopting consolidated Speed Limit Ordinance – See item #13 above.
15. Water project update – Tom had an estimate from Green Mountain Power (GMP) of \$11,129.24 for the installation of the new overhead power lines for the water system, plus a tax assessment of \$3,582.49. Dick said the town should be tax-exempt. Tom said he will ask for clarification on the tax issue. There was discussion about the ongoing uncertainty with regard to the size and location of some of the water pipes. Win said we need to get the accountant here soon so we can determine how much is in the water fund. Tom said the trees have been removed for the power line but he thinks GMP needs to reposition the dead pole. Tom said the pole next to the maintenance garage should also have a transformer so the garage and the contractor can get power. Win asked if the estimate has to be re-done. Tom said yes; he'll call GMP and let them

- know about the changes. Tom said he is pressuring FairPoint to replace the pole near the Lynch residence. Win asked if FairPoint is going to charge us to replace the pole. Tom said he doesn't think so. Win asked Tom to find out. Tom said the question is – do we want an additional transformer on the pole next to the maintenance garage. Win said we need to know how much it's going to cost because we may not be able to afford an additional transformer at this time.
16. Sign offer acceptance for direct purchase of booster pumps from Champlin Assoc. – Martha said we don't have anything to sign for the purchase of the booster pumps but we do have a new estimate of \$15,928, which includes the variable frequency drives. Champlin's original estimate of \$11,000+ did not include the VFDs.
 17. Brook Road demolition project update – Martha said the contractor said he would be done by this Wednesday but, when she drove out there last week, no one was there and nothing had been done so she contacted him and he said there must have been a misunderstanding; they're doing the work this week. Win said UVLT seems to be interested in taking over the conservation easement on the Crocker property and including our Brook Road property.
 18. Consider Group Net Metering Agreement with Mountain Funds, LLC – Dick noted that Gerry Tarrant has not heard back from Gravel & Shea so there's nothing to report at this time.
 19. Discuss Certificates of Occupancy/Conformance – Tom said the Planning Commission is talking about what to do. Win said either the zoning ordinance has to be amended or our practice has to be amended. Win said he'll talk with Al Keiller and ask him what the Planning Commission is going to do.
 20. Other Business – July Police Report: Dick noted there were 53 calls and directed patrols. AO Financial report: **Win moved to acknowledge receipt of the annual financial report from Ascutney Outdoors. Tom seconded the motion, which passed unanimously.** VLCT Budget workshop: Win and Tom asked Martha to register them for the workshop. Fire Department grant: Mike announced that the Fire Department just received a \$90,200 grant from FEMA for 14 new air packs.
 21. Approve Minutes: July 18, August 4, August 8, and August 12 – **Win moved to adopt all the minutes. Tom seconded the motion, which passed with Dick abstaining on the August 8th minutes.**
 22. Adjourn – **The Selectboard adjourned by consensus at 9:31 AM.**

Respectfully submitted,

Martha Harrison