

West Windsor Selectboard  
Draft Minutes  
August 26, 2019

Present: Win Johnson, Brett Myers, Martha Harrison, Tom Kenyon, Cathy Archibald, Marty Hunt, Mike Spackman, Deb Shearer, Lauren Stevens, Rich Lima, Aaron Gonthier (Windsor on Air)

*With one member absent and another delayed, initial discussions were limited to those not requiring any action.*

- 1) Public Comment – Rich Lima was present to discuss a letter he received from the Zoning Administrator notifying him that he cannot live in a camper on his property for more than 90 days. Rich said he is building his house as fast as he can, but he's also working full-time so he's not going to be finished by August 31<sup>st</sup>. Deb said as far as she knows, there's no recourse. Win said the Selectboard has no jurisdiction. Deb said Rich has a permit to build the house. Win asked Rich if he will be out of the camper and in the house in a couple of months. Rich said he is trying. Win asked Rich to stay in touch with Deb and said it's up to the Zoning Board (Development Review Board).
- 2) Review financial statements – Win said he has reviewed the statements and asked if the miscellaneous income in the highway budget is for the work at the store and the fire station. Cathy said \$2,400 is for that work and \$1,000 is for something else; she'll have to look it up. Win asked Cathy to talk with John Mudgett about capitalizing the cost of the environmental study on the Burke property. Cathy agreed. Win said we'll review the Library statements next month.
- 3) Highway Foreman's Report – Structure grants: Mike said we got all three of the structure grants we applied for. Win asked if we're going to defer construction on two of them until next year. Mike said yes. Grants-in-Aid: Mike said he is meeting with Chris Yurek tomorrow to come up with an MRGP-compliant plan for Wardner Road. Win said the Conservation Commission may ask Mike to come and talk with them about these stormwater projects. Sand: Mike said West Windsor is getting 500 CY of sand from Hartland in exchange for the assistance Mike provided with road grading. Mowing: The Highway Department continues with mowing as time allows. Ditches: Mike said they are pounding out ledge in ditches to address water quality issues. Speed cart: Mike said he sent the mother board for the speed cart back to the company for repair or replacement. Win asked if it's under warranty. Mike said yes. Excavator: Mike said a leak in the excavator is being repaired. Repairs to 2020 Truck: Mike said some of the work was warranty work and some was an upgrade to the bed chain. Contract inquiry: Win said the Town has received an inquiry about how we contract. Win said he will stop by the Garage on Thursday to talk with Mike about it.

*With Brett Myers' arrival at 6:40 PM, there was a quorum present.*

- 4) Butcher & Pantry event application – Win asked Lauren if she is present to talk about the Clam Bake event. Lauren said yes. Win said, since it wasn't on the agenda, the Selectboard can't consider it tonight but they are planning a special meeting for September 3<sup>rd</sup> and they can add the B&P event to that agenda.

- 5) Town Clerk's orders – **Win moved to sign orders. Brett seconded the motion, which passed unanimously.**
- 6) Liquor license application – Lauren was also present to discuss the liquor license application. Win asked Lauren what she means by “a private security patrol for alcohol.” Lauren said all the parking for the event is going to be on the Leland property and they’ve hired one Windsor police officer for traffic control from 5:00 PM until 9:00 PM. Lauren said there will be a flagged walkway from the parking area to the event location and someone will be stationed there to make sure no open alcohol containers are leaving the property. Win asked if B&P will be checking IDs. Lauren said yes and they will also be putting wrist bands on. Win asked if it’s just beer being served. Lauren said yes. **Brett moved to approve the liquor license. Win seconded the motion, which passed unanimously.**
- 7) Event application: Lucy MacKenzie for a 5K & 1-mile Walk/Run on October 6<sup>th</sup> from 7:00 AM until Noon at the Ascutney Outdoors Center and on adjacent trails – Win said this is small enough that it doesn’t require a police presence. Win asked Marty to notify the FAST Squad about the event. **Brett moved to approve the event. Win seconded the motion, which passed unanimously.**
- 8) Open bids for Harrington Road culvert project & award contract – Win opened the bids, which were as follows: Murphy & Son bid \$91,046, plus \$3,781 to install 100’ of used guardrail on both sides of the road; Willey Earthmoving bid \$105,000; Renaud Brothers bid \$119,000; Daniels Construction bid \$169,995; and Avery Excavation bid \$102,000. Regarding the timeframe, Willey said they could install it by 10/31/19 or 7/31/19; Avery said one of the pre-cast suppliers can deliver the box by October 1<sup>st</sup>; and Daniels said, due to their good standing with ANR, they may be able to complete the project outside the normal in-stream construction period. Win said Murphy is the low bidder. Mike said Jon Murphy told him he can do the work within the timeframe provided he orders the culvert tomorrow. Mike said if it doesn’t get in by October 1<sup>st</sup>, the Town will have to foot the bill and provide storage for the culvert. Mike said if the weather cooperates, Murphy will get it in, provided there’s no miscues with the supplier. **Win moved to award the contract to Murphy & Son Construction, Inc., with the understanding that their plan is to get it done this fall, within the time constraints, unless there are conditions beyond their control. Brett seconded the motion.** Brett asked when the Army Corps would allow the contractor to begin work in the spring if it couldn’t be done in the fall. Martha said the work needs to be done between July 1<sup>st</sup> and October 1<sup>st</sup> unless we get a different type of permit. **Win called for a vote on the motion, which passed unanimously.** Win asked Mike to notify Murphy and asked Martha to notify the other bidders.
- 9) Barton Road discussion – Win said there have been some concerns expressed by snowmobilers about the condition of Barton Road after the recent work, especially with regard to the water bars and the slant of the road. Win said he looked at it with Dennis Lemire and agrees that the upper water bar could be dangerous for snowmobiles. Mike said the Highway Department has discussed some options and installing a 3’ pipe is probably the cheapest option but there would be steep drop-offs on both sides. Mike said they could also build a small bridge out of waste block. Win said below that, there’s a stretch that’s very wet and sloped, and one thought is to pull the bank in and level it so a groomer can get through. Win said he’d like to do a site visit with Mike, Dennis Lemire, Ralph Stone and anyone else who wants to participate, and come up with a plan that works for the snowmobilers. Win said he also thinks the Town should gate the road whenever it’s wet to prevent big 4-wheel trucks from using it. Mike said snowmobilers, farmers, hunters and others will need access.

- 1) Water & Sewer Utilities - Allocate additional funds for title work: Win said Jim Barlow has been doing title work to make sure the Town has rights-of-way in the areas where the water and sewer projects will be done, which has been a lengthy and arduous job. Win said the Selectboard initially allocated \$5,000 for this work, but we're going to need a little more. Martha said Jim estimates a total of \$6,500 for the title work on the sewer project, and \$3,000 for the work on the water project. Win said once we have established clear title, we won't have to do it again. Martha said no sewer work is currently proposed on the Windsor building property or the Hanover building property so we should get easements on those properties eventually but it's not critical that we get them now. **Win moved to increase the allowance for the title work to \$6,500 for the sewer project, and \$3,000 for the water project to be paid for out of the bond issues. Brett seconded the motion, which passed unanimously.**  
Project updates: Win said we're planning to open the sewer project bids next Tuesday. Win added that we received the rate study from A+E today but haven't had time to review it. The water project probably won't go out to bid until mid to late September, so we don't know whether or not we'll be able to replace the water lines under the ski bridge before winter.
- 2) Stormwater – Win said there is still a lapsed stormwater permit that was originally issued to Summit Ventures and has been renewed two or three times. Win said it's not clear how it can be renewed again without creating a new entity; we're trying to figure out whether the state has the authority to require that. Win said he and Martha had a conversation with a couple of people who suggested that we create another utility to manage stormwater. Win said we also looked into getting a lawyer to look into the state's demand that we create a new entity and that's pretty expensive. Win said he's going to try to meet with the Secretary of ANR. Win said it's been suggested that the lapsed stormwater permit puts a cloud on the title, but no one has raised that issue until now.
- 3) Discuss possibility of implementing a consent agenda – Win suggested tabling this item. Brett had no objection.
- 4) Other Business – Noise complaints: Win said he received two noise complaints, both involving Coaching Lane. One complaint was about a wedding that was way too loud, went way too late, and did not have an event permit. The other was about shooting, and possibly fireworks. Win suggested contacting both property owners and letting them know that there is a noise ordinance, it appears that the ordinance was violated and, if it happens again, the Town will pursue it. Cathy said they also served liquor without a liquor permit. Win asked when a permit is required. Cathy said when the event is catered.
- 5) Approve Minutes – **Brett moved to approve the minutes of August 12<sup>th</sup>. Win seconded the motion, which passed unanimously.**
- 10) Adjourn – **Brett moved to adjourn at 7:25 PM. Win seconded the motion, which passed unanimously.**

Respectfully submitted,

Martha Harrison