

West Windsor Selectboard
Draft Minutes
February 24, 2020

Present: Win Johnson, Brett Myers, Matt Kantola, Mike Spackman, Cathy Archibald, Martha Harrison, Tom Kenyon, Craig Gardner, Ray Shannis, Peter Ferrick, Aaron Gonthier (Windsor on Air)

- 1) Call to Order – Selectboard Chair Win Johnson called the meeting to order at 6:30 PM.
- 2) Changes or Additions – Tree Warden report, RPC update
- 3) Announcements/public comment – None
- 4) Town Clerk’s Report – Sign orders: **Brett moved to sign orders. Matt seconded the motion, which passed unanimously.** Tax Sale discussion: Win said there are several condos for sale in the Windsor House and it’s possible that they won’t sell so the question is whether or not the Town should buy them. Cathy said there are six units for sale and five of them are owned by one person so she is concerned that the delinquent taxes and fees, which currently total close to \$30,000 for the five units, will continue to accumulate if no one buys them. Win asked about the sixth unit. Cathy said \$10,569.85 is owed on that one. Win asked if the Town should consider buying all of them. Brett asked what would happen if the Town bought them and the current owner did not redeem them. Cathy said then the Town could sell them. Brett said the condo fees are between \$700 and \$900 per month in addition to taxes and utility fees so she thinks they might be a tough sell. Brett asked if the Town would have to pay the condo fees if we buy them. Cathy said no; there’s no lien on the property for the condo fees. Cathy said the asking price starts at the amount owed to the Town. Win said we currently have receivables for the past due taxes and fees; if we bought the condos, we’d be swapping assets for receivables. Tom asked about insurance and maintenance costs on the condos. Win said the Condo Association has a building manager who is responsible for maintenance. Win said other towns have purchased properties at tax sales to prevent the situation from snowballing. Win added that the situation raises questions about the appraisal on the building. Tom said if the Town buys the condos, then the current owner would be dealing with the Town if he wants to redeem them, rather than a third party. Brett said the current owner could redeem them and then go delinquent again. Cathy agreed that the Town might have to hold a tax sale on them every year, or every other year, and noted that the delinquent owner is in the process of buying one or two more units. Brett didn’t like the idea of the Town buying the condos. **Matt moved to recommend that Win represent the Town at the tax sale with the authorization to buy the condo properties for the amount due in delinquent taxes and fees. Win seconded the motion.** Ray asked if the Town has consulted with legal counsel. Win said yes. Cathy said the attorney was the one who suggested that the Town buy the property. Win said the Town has also confirmed that the Selectboard is authorized to buy property at a tax sale without a Town vote. Brett said if the Town buys the condos and the current owner doesn’t redeem them within a year, then the Town would have to start paying the fees. Win said the Town would then sell the property for the outstanding fees. Cathy said they’re appraised for about \$60,000 each. Matt agreed that the Town’s exposure would be low. Cathy said she’s had calls from interested buyers so the Town may be off the hook. Win said Jon Springer will be running the tax sale. Brett said if we pay \$800 per month in condo

fees for five units for one year, that's almost \$50,000. Win said in that case, the Town would get the rent. **Win called for a vote on the motion, which passed with Brett opposed.**

- 5) Discuss Event Requirements, including Race Event Information Checklist – Win said he, Martha and Steve Carihfield have revised the race event checklist discussed at the last meeting, as well as the event application form. Matt and Brett were provided with copies. Win described the changes and said, if there's no objection, the plan is to begin using these documents and tweak them later if necessary. Martha asked if Ascutney Outdoors (AO) would co-sponsor the Fourth of July. Win said yes, at least the portion of the event that takes place up there. Matt asked if AO charges a fee for the use of their building. Win said yes. Peter asked if the Sustainability Committee would need a permit to hold an event with electric cars and solar vendors. Win said there's an exception in the Event Ordinance for municipal entities so there wouldn't be a fee but the committee would still need approval to use Town property.
- 6) Discuss formation of Sustainability Committee – Win said the Town Plan, which is still in draft form, recommends the formation of a Sustainability Committee. Win said we'll have to do some research on the statutory basis for such a committee. If there is no statutory basis, the Town could still have a committee but it would be informal. Ray said he suggested the formation of a committee or group when he was on the Planning Commission and then followed up by talking with Zach Ralph and Michael Caduto of Sustainable Woodstock. Win noted that Craig Gardner, who is present, has expressed interest and asked Ray who else is interested. In addition to himself and Pete Ferrick, Ray said Candee and Scott Brohinsky and Andy Wood are interested. Ray asked the Selectboard members for their thoughts. Win said if West Windsor had a committee, he would like the committee to look into implementing some of the recommendations made in the energy audit reports for town buildings; reviewing our recycling situation; and establishing a Level 2 EV charging station in town, among other things. Ray said they started to put a priority list together and came up with too many items so that's when they contacted Zach. Ray suggested establishing a committee, setting goals, appointing a Chair, and so on. Win said if it's a town committee, you'd have to have minutes. Ray said he would volunteer but would not want to be Chair. Ray asked if there could be a citizen group if there isn't an official committee. Win said a citizen group wouldn't need the Selectboard's blessing and wouldn't have to have minutes, which would be too bad in some ways because minutes inform residents about what's going on. Win said when the Town Plan is done, it will have much more specific support for a Sustainability Committee. Win said we need to find out the statutory basis for forming a committee and how many people are interested in being on it, and then we need to decide if the interested parties want to be a committee or an informal group. Pete suggested getting the ABS students involved. Win suggested high school students as well. Matt suggested discussing this at Town Meeting under "any other business." Ray asked if there could be any financial support from the Town. Win said there could be, although not this year. Tom said in 10 years, 90% of the cars will be electric so now is the time to start thinking about that. Mike agreed that maintaining transportation infrastructure with no gas tax is a huge issue. Matt suggested installing an EV charging station at the Town Hall. Win said he thinks charging stations should be at convenient locations. Win said there are grants to install charging stations. Craig said it's important to choose projects that will give the biggest bang for the buck. Win reiterated the importance of implementing the findings of the town building energy audits. Matt said the Town Hall boiler was replaced a couple of years ago and we're in the process of replacing

doors and windows. Win suggested talking again when we have more information about committee structure and possible members.

- 7) Grants – Animating Infrastructure: Martha said the recently announced Public Art Design Grant could be used for the design portion of the ski bridge mural, for example. This grant has a deadline of March 10th. Win said he will contact Michael Bell and see if he is still interested in pursuing the mural project. Cultural Facilities: Matt said he thinks improving the acoustics is the highest priority for the upstairs Hall. Grants range from \$1,000 to \$30,000 and require a 1:1 match. Martha said to improve our chances of getting a grant we should see if there are groups that would be interested in using it more often for concerts, plays or other events, if improvements were made. Martha said the deadline is May 1st but she thinks this grant is offered every year. Win said this is another topic for discussion under “any other business” at Town Meeting. Brett said curtains would help darken the room for presentations and would also absorb sound. Matt said he would be part of an Arts Committee if there are others interested. Martha said parking is another issue that limits the use of the Town Hall. Matt said there’s the school parking lot. Win said the school gym is also underutilized.
- 8) Supplemental Phase II ESA Work Plan, former Burke property – Win said the State has chosen LE Environmental (LEE), the same contractor who did the Phase I work, to do the Phase II work, but they’ve also expanded the scope so it’s going to cost more than the amount of our grant. Martha said she has talked with Shawn Donovan about either increasing the amount of our grant or reducing the scope of the project and he is looking into both of those options. Win said we may find ourselves in a situation where it’s the middle of May and the Phase II work hasn’t been done and we have to decide whether to wait longer or forego the BRELLA coverage. Brett asked Mike if he’s getting pressure to move the sand pile, in terms of fines or something. Mike said no. Martha said she’ll forward LEE’s proposal to the Selectboard. Win said he’d like to get Shawn Donovan and Alan Liptak here for a site visit in early March. Martha said we’re talking with Regional Planning about covering the additional costs. Win said let’s ask Tom Kennedy to come to the site visit too.
- 9) Highway – Award contract for Rush Meadow Road project: Win thanked Mike and Martha for evaluating and comparing the bids. Win said Avery Excavation was the low bidder at \$112,600; the next lowest bid was from Murphy & Son for \$124,640. Win said the Town’s RFP states that the Town reserves the right to accept the bid most favorable to the Town, which is not necessarily the lowest bid. Win said what we found was that the Avery bid did not include the development of site plans showing existing and proposed conditions with appropriate elevations; obtaining all required permits, including a Stream Alteration Permit and a U.S. Army Corps of Engineers permit; proof of current worker’s compensation and liability insurance; or the approximate start date and job duration that would fit with his schedule. Mike noted that Avery’s bid did not address the engineering aspects of the project. Mike also noted that Jon Murphy is an engineer. Matt said if Avery’s bid is incomplete, you throw it out. Win said the bid is incomplete on some pretty important issues. **Matt moved to reject the bid from Avery Excavation as incomplete. Brett seconded the motion, which passed unanimously. Matt moved to accept the bid from Murphy & Son. Brett seconded the motion.** Tom asked if the bid from Murphy & Son is complete. Win said yes. **Win called for a vote on the motion, which passed unanimously.** Foreman’s report: Mike said the grader is in the shop again after blowing a hydraulic hose. Mike said the highway crew has been clearing trees and brush, and noted that it’s time to do our sand & gravel bids, and our contractor bids. Win said we need to make sure that our request for bids is open and

that we document our process. Martha said she usually mails the request to everyone who may be interested, and asked if the Selectboard also wants a notice in the newspaper. Win said yes and asked Martha to include Garrett Mikita in the mailing. Win asked about leaving the loader running, in light of the sustainability discussion. Mike said you risk damaging the hydraulics if you use it when it's not warmed up; they don't leave it running in the summer.

- 10) Town Plan discussion – Win said we're meeting on Thursday at 4:30 PM. Win said the highest priority recommendations are not necessarily reflected in the priority matrix. Win said Al Keiller is amenable to the Selectboard making extensive edits and Martha has offered to do some rewriting and editing. Win asked Brett and Matt to look at the recommendations and think about which ones are the highest priority. Brett and Matt asked for hard copies of the Plan. Martha said the Selectboard has until May 11th to hold a hearing, but they're not limited to one hearing. If there are substantial changes, Martha said, the Selectboard has to send it back to the Planning Commission so they can decide if the changes affect their report. Win said he plans to adjourn Thursday's meeting no later than 6:00 PM.
- 11) Other Business – Tree Warden report: Tom said trees have been removed on Rush Meadow Road and Coaching Lane Extension. The day after Town Meeting, Tom added, there are plans to remove a huge dead poplar tree on Hammond Hill, which will probably require the road to be closed. Win asked Tom to announce that at Town Meeting and put a notice in Front Porch Forum. Win said he and Craig will probably be doing the ash inventory on the Brownsville-Hartland Road on Thursday morning. Tom said the big tree on the mountain won't be removed until spring. Regional Planning Commission (RPC) update: Tom said they're about to change their name to Mt. Ascutney Regional Commission (MARC).
- 12) Approve Minutes – **Brett moved to approve the minutes of February 10th. Matt seconded the motion, which passed unanimously.**
- 13) Adjourn – **Brett moved to adjourn at 8:00 PM. Matt seconded the motion, which passed unanimously.**

Respectfully submitted,

Martha Harrison