WEST WINDSOR SELECTBOARD
Draft Minutes
January 14, 2013

Present: Glenn Seward, Tom Kenyon, Bruce Boedtker, Town Clerk Cathy Archibald, Planning Commission member Mark Isenberg, Highway Foreman Mike Spackman, *VT Standard* reporter George Calver, Deb Shearer, Tim Stone, Frank Brock, Planning Commission Chair Barbara Truex, Laura Stillson, Eric Boedtker, Ralph & Linda Stone, Dennis & Betty Lemire, Dennis & Tammy Conley, Bob French, Bill Young, Katharine Otto (SWCRPC), Shelley Seward, Town Forest Committee Chair Rudy Gross, Jerry & Shirley Ouelette, Wastewater Committee Chair Al Keiller, Trail maintenance employee Jim Lyall, Cathy Boedtker, School Board member and STAB member Erik Schutz, Judge David Singer, Judge Jack Anderson, Martha Harrison

1) Call to Order – Selectboard Chair Glenn Seward called the meeting to order at 6:30 PM.
2) Changes or Additions – None
3) Proposed Windsor County budget & bond issue: Judge David Singer & Judge Jack Anderson – Judge Singer said the County tried to keep its budget low last year due to Tropical Storm Irene. However, under Title 24, the County is responsible for maintaining the courthouses and the facilities are inadequate. Judge Singer outlined the issues – the Woodstock Courthouse is not handicapped accessible and not in compliance with OSHA – and the options for addressing those issues. Judge Anderson described the Woodstock Courthouse, which was built in 1855. Judge Anderson said the proposed renovation will cost $2 million or less and gave the Selectboard a spreadsheet showing West Windsor's share of the cost if the bond vote passes. Judge Anderson said the 24' x 24' addition will be two stories and will house an elevator, stairs and a holding cell, and there will also be some interior renovation to the existing structure. Tom noted that West Windsor's Grand List will be decreasing. Regarding the budget, Judge Anderson said it has been too small for the past two years so, this year, the County will be asking the Town for $15,238. For comparison, Judge Anderson said the Town paid $26,464 in 2010. Regarding the cost of the bond issue, Judge Anderson said, if it passes, it will cost each taxpayer ¼ of one cent per $100 of assessed value. Judge Singer invited those present to call 457-5222 if they have questions. The judges were asked what will happen if the bond vote is defeated. Judge Anderson said they will be asking again next year if it doesn't pass this year. Judge Anderson added that renovating the existing building is a lot cheaper than building a new courthouse.
4) Sign Town Clerk's orders - **Tom moved to sign the Town Clerk's orders. Bruce seconded the motion, which passed unanimously**.
5) Town Clerk/Treasurer's Report - None
6) Public Comment - None
7) Discuss "five and dime" race public assembly permit – Deb Shearer said the race will be the same as last year but the organizers are hoping for more participants. Deb said Raina White contacted the Windsor Police Chief today and sent him a link to the website for the race so he could see a map of the route. According to Deb, the Chief will let them know if he has any concerns. Tom asked about the required written agreements. Glenn suggested making the approval contingent on receipt of written agreements where required. Mike Spackman said, as Fire Chief, he has no issue with the application. Deb asked if they need a written agreement from FAST Squad Director Nancy Gaynor. Glenn said yes. For the record, Tom said, the date of the race is June 8, 2013. **Glenn moved to approve the application for public assembly by Raina White and Deb Shearer for the Second Annual Five & Dime Race, contingent on receiving positive written statements as required on the application. Tom seconded the motion.** Bruce asked about expected participation. Deb said last year there were 110 participants and she is hoping for 200 this year. **Glenn called for a vote on the motion, which passed unanimously**.

8) Regional Transportation Plan: Katharine Otto – Katharine said the Southern Windsor County Regional Planning Commission (SWCRPC) is updating the regional Transportation Plan and would like Selectboard input on the draft plan. Tom said the state has already addressed some issues on Route 44. Katharine noted the opportunity to incorporate improvements into existing projects to address safety issues, for example. Glenn said the Selectboard will make the map of proposed projects available to the public. Glenn asked Katharine to send Martha a link to the plan for West Windsor's website. Katharine said the plan is still a work in progress and she is open to suggestions for additional projects.
9) Short-term Economic Development Plan: Planning Commission – Barbara summarized the plan and noted that the Selectboard is the party responsible for some of the action items so the Planning Commission would like their input. Tom asked how the PC established the due dates. Barbara said the due dates are just estimates. Mark Isenberg said the PC wanted to convey time sensitivity and accountability.
10) Discuss and consider FY 2013 budgets – Town: Glenn said the town budget is up $18,377, or 7%. Glenn said the items contributing to the increase are $10,000 for an outside audit, $5,000 in increased law enforcement costs, and $2,500 in increased ambulance service costs due to the switch from Golden Cross to Windsor Ambulance. Glenn noted that West Windsor is one of the lowest taxed towns in Vermont. Cathy asked if the budget should reflect the $6,000 increase in the tax that the town will be paying to the County. Glenn said, due to concern about the results of the upcoming reappraisal, the Selectboard agreed to put last year's surplus aside but he is wondering if the Selectboard should use some of the surplus to try and stabilize the tax rate. Tom said he thinks the Selectboard should not touch the surplus and should leave the budget as it is, knowing that we're going to be $6,000 short and, if necessary, the shortage can be covered with the surplus. Highway: Glenn said the highway budget is up $17,990, or about 4%. **Glenn moved to approve the budget as submitted. Bruce seconded the motion.** Tom noted that there are a number of special articles to be voted on at Town Meeting, which are not included in the budget. Glenn said the articles are $35,000 to establish a fund for the refurbishment of gravel roads, $10,000 to establish funding for an economic coordinator position and related promotional expenses, $6,000 for a geomorphic assessment of Willow Brook and Beaver Brook, and $10,000 to establish funding for after school programs. Glenn said the Selectboard is planning to hold two budget forums to discuss the budget with the voters. Tom asked about the school tax rate. School Board member Erik Schutz estimated that the school tax rate will increase by 13 cents. Erik noted that the School Board cut the school tax rate by 10 cents last year. **Glenn called for a vote on the motion, which passed unanimously**.
11) Set dates for budget informational meetings – Tom suggested holding the meetings after the Town Report comes out. Cathy said the Town Reports should be available by February 5th. After discussion, the Selectboard agreed to set the dates at a later meeting.
12) Discuss and consider 2013 town meeting warning – Glenn noted that he discussed the wording of the after school program article with an attorney at the Vermont League of Cities and Towns (VLCT). Erik said it's difficult to run a program based solely on what parents can pay. **Tom moved to sign the warning as proposed for Town Meeting 2013. Glenn seconded the motion, which passed unanimously**. The Selectboard signed 4 copies of the warning.
13) Consider request from Town Forest Committee re: use of snowmobile to maintain trail from town forest entrance to Kimball Farm Road – Glenn said it has come to the Selectboard's attention that there is an agreement in place between the Conleys and the town allowing the Conleys to use the gravel pit road to Kimball Farm Road; the agreement dates back to 1995. **Glenn moved to reaffirm the existing agreement. Tom seconded the motion**. Dennis Lemire asked Glenn to be more explicit about how the agreement reads. Glenn said there is no written agreement but the Selectboard is taking the Conleys at their word that there is a verbal agreement in place. Glenn said he spoke with former Town Forest Committee member Kenny Burke and Kenny acknowledged the existence of the agreement. Bruce asked if the use of the trail is for maintenance. Glenn said he is not sure there was a caveat attached to the agreement but the Town Forest Committee has indicated that they would like

the Conleys to maintain that trail. Glenn asked the Conleys if that is okay with them. Dennis and Tammy Conley said yes. Rudy asked how this impacts the Act 250 permit. Glenn said that is a different issue. Glenn said the Selectboard will look to the Town Forest Committee for a recommendation on whether or not to amend the Act 250 permit. Glenn said the town will have to notify the District 2 Environmental Commission that this agreement is in place. Dennis Lemire thanked the Selectboard for tackling a contentious issue and coming up with a solution. Bruce said maintenance of the trail was discussed as something that could be done now but we need to clarify who is doing the maintenance and where they are doing it so we have a clear written record. Glenn said he will draft something to send to the District 2 Commission and will forward it to Tom and Bruce for comment. **Glenn called for a vote on the motion, which passed unanimously**.

14) Discuss after school program – Erik Schutz said there was a successful grant-funded after school program several years ago but, when the school ran out of funds, the program was taken over by Vermont Youth Adventures, which is now closing its doors. Erik said there are still at least five families that really need the program. Erik said the funds would cover insurance, staff, food and craft supplies. There was discussion about how neighboring towns pay for after school programs. Mark asked why this isn't incorporated into the school budget. Erik said if the school's cost per pupil is too high, they will end up paying an extra 10%. Erik said the program would take place during the school year and serve children in grades K – 6.
15) Discuss Vt. Mountain Bike Festival permit – Erik Schutz said he is not finished filling out the permit application form. Erik said they would like to put up a 20' x 40' tent and have a water tank, port-a-potties, vendors, and a barbeque. Erik said the dates for the festival are July 13th and 14th. Erik said the festival is being held outside Waterbury for the first time. Erik said there will be mountain bike rides guided by local volunteers, contests, and a raffle. The event is a fundraiser for the VT Mountain Bike Association (VMBA) and Sports Trails of the Ascutney Basin (STAB). STAB is raising money for a connector trail between the town forest and the state park campground. Erik said they are hoping to get 500 people to attend. Jim Lyall said a blog, a twitter account and a facebook page are being set up to get the word out and to raise awareness about our trails. It was noted that the Vermont 100 race is the following weekend. Bruce said he supports the event in concept but would like to see the details. Erik said VMBA will need the Selectboard's help in getting the Resort's permission to use their land and parking area. **Glenn moved to approve the concept of the Vermont Mountain Bike Festival for July 13th and 14th 2013, with final approval contingent upon review of the application. Tom seconded the motion**. Bruce noted that West Windsor's trails are limited to four events by Act 250 so we only have room for one more event. Bruce suggested asking about the reason for the limit and applying to the District 2 Commission for an increased number of events. Tom said the limit could be related to the need for maintenance between events. Shirley Ouelette asked if VMBA would allow local organizations to sell food at the festival to raise money. Erik said yes. **Glenn called for a vote on the motion, which passed unanimously**.
16) Discuss and consider STAB trail agreement renewal – Glenn asked if there are any outstanding issues that need to be addressed. **Tom moved to renew the town's agreement with STAB for 2013. Glenn seconded the motion**. Erik thanked the town for supporting STAB with Act 250 and the trail signs and markers. **Glenn called for a vote on the motion, which passed unanimously**. Erik and the Selectboard signed the agreement.
17) Discuss and consider Orange Lake and Snowdance trail agreement renewals – Glenn noted no concerns by either party. **Tom moved to renew the agreements with Orange Lake and Snowdance for 2013. Bruce seconded the motion, which passed unanimously**. The Selectboard signed the agreements.
18) Highway Foreman's Report – Mike said we'll be halfway through winter in 3 weeks and the budget looks good. Mike said he asked the regional planning commission to help out with the erosion inventory that we got a grant for. Mike said we need to send out sand and gravel bid letters for 2013. Rudy thanked Mike and the Selectboard for the work done on Coaching Lane Extension. Glenn suggested that the Selectboard consider a "no idle" policy for town trucks and a cell phone use policy.

19) Discuss Bowers Bridge repair status – Glenn said the town is waiting for the insurance company to do a computerized stress test on the bridge, which was damaged in the fall by an overweight vehicle. Glenn said two contractors have acknowledged that there's something wrong with the bridge but the state engineer feels that the bridge is fine. Glenn said the conflicting reports are a concern so the town is consulting with an engineering firm. Ralph Stone asked about the cost of insuring the bridge. Cathy said all the insurance is lumped together so it would be hard to break it out. Frank asked if the town knows who damaged it. Glenn said we don't know; otherwise we would be talking to their insurance company. Mark asked if the town would consider maintaining lower height and weight restrictions. Glenn said he would be hesitant to do that for aesthetic reasons; the height restrictors that are currently in place are ugly. Glenn added that until now there haven't been any problems.
20) Certificate of Highway Mileage – Glenn said the certificate is not filled out yet. **Tom moved to table consideration of the Certificate of Highway Mileage until the next meeting. Bruce seconded the motion, which passed unanimously.**
21) FEMA payment status – Glenn said he received word from Fred Costello from FEMA that a payment will be made to the town within a couple of weeks.
22) Town Forest trails update – Jim Lyall said he has been blazing the trails.
23) Conservation Commission appointment – Glenn said the Conservation Commission voted unanimously to ask the Selectboard to appoint Andy Harrington. **Glenn so moved. Bruce seconded the motion, which passed unanimously**.
24) Development Review Board appointment – **Glenn moved to table this item. Tom seconded the motion, which passed unanimously**.
25) Police report – Glenn said there were 24 calls, including patrols, through December 25th.
26) Sewer line purchase update – Glenn said the purchase and sales agreement is being reviewed and the bond bank application is being completed. Glenn said the town has received approval for funding from the state and the bond bank application is a formality. Glenn said he contacted Attorney Paul Giuliani for his opinion on the bond vote, which is required by the bond bank. Glenn said the Sewer Ordinance is being completed by Aldrich & Elliott, the town's engineering consultants. Glenn said he was hoping to sign a Memorandum of Understanding (MOU) with the Town of Windsor relating to charges ($485/user) for operations, maintenance and processing; Windsor's agreement to take over a portion of the line; and the amount of allocation (130,000 gallons) available to West Windsor for future development. Tom asked if that would include Orange Lake. Glenn said the allocation would include a build out of the Resort under the current Master Plan. Glenn asked Martha to finish drafting the MOU so he can email it to Tom and Bruce for review. Tom asked what period of time the $485 covers. Glenn said it covers the fiscal year for the sewer operation, which is July 1 – June 30. **Tom moved to authorize the Chair to sign the MOU, subject to review and approval by the other Selectboard members. Bruce seconded the motion, which passed unanimously**.
27) Adopt Post Issuance Compliance (PIC) procedures as required by the Vermont Municipal Bond Bank (VMBB) – Glenn said the PIC procedures outline what the town has to do after we receive funding. **Glenn moved to adopt the Post Issuance Compliance procedures. Bruce seconded the motion, which passed unanimously**.
28) Discuss formation of sewer commission – Glenn said there have been some issues in the past about the lack of representation for users of the system. Glenn said he suggested the following wording to the town's engineers: "The West Windsor Selectboard shall establish a sewer advisory committee. The committee will consist of one representative of the three major user groups at Ascutney Mountain Resort specifically Mt. Ascutney Property Owners Association (POA), Mts. Edge Condominium Owners Association, and Orange Lake Resorts. Each member shall be elected from the respective user group. The initial term will be one year for the POA, two years for the Mts. Edge group, and three years for Orange Lake with terms to expire on December 31st of each year. The Selectboard reserves the right to remove any member for due cause as well as to appoint additional members to ensure appropriate representation within the committee. The committee will be responsible for general oversight of system operation including, but not limited to, establishment of budgets and

rates, development of a capital improvement plan, negotiation of O&M and treatment contracts. All decisions relating to the system operation will be reviewed and approved by the Selectboard. The committee shall provide monthly reports, including financial statements, to the SB for review at the Selectboard's regular monthly meeting." Glenn said that language will be in the draft sewer ordinance which should be available next week for review. Tom requested that the reports be in writing. Barbara asked if the Windsor-Ascutney Sewage Treatment Enterprise (WASTE) committee is defunct. Glenn said no; once the town takes ownership, the Act 250 permit will be amended to dissolve WASTE and the Selectboard and sewer advisory committee will provide oversight.

29) Status of future sewer line extension to village area – Glenn said the engineering work by Aldrich & Elliott continues, the 90% report is due January 25th, and the next Wastewater Committee meeting is scheduled for February 14th. Al said he expects that the committee will be supportive of moving forward with a village wastewater system.
30) Community Development Block Grant discussion – Glenn said the town is seeking grant funding for a possible expansion of the sewer system into the village, which would cost approximately $2.1 million. Glenn said the regional planning commission is helping with the grant process. Glenn said the Selectboard met with state officials last month to discuss the possibilities. Glenn said village residents will be receiving a confidential income survey, which will provide the state with the data they need to make an eligibility decision. Glenn recommended sending the residents a letter letting them know that the income survey is coming and that it's important to fill it out. Glenn volunteered to draft something for Tom and Bruce to review. **Tom moved to approve the drafting of a letter. Glenn seconded the motion, which passed unanimously**.
31) Consider Northern VT RC&D donation – Mike recommended supporting the organization. Tom asked if the Better Backroads grants come from this organization. Mike said yes. Tom asked where they get their funding. Mike said they get it from the Agency of Transportation. Cathy said the request is included in the appropriations article for Town Meeting.
32) Giles letter – Glenn said John and Sarah Giles of Candia, NH generously donated their 1.49-acre property (parcel #2-35) on Coaching Lane to the town to be included in the Town Forest. Tom said the tax issue was resolved by the Town Forest Committee funding that expense. Glenn had a thank you letter for the Selectboard to sign. **Tom moved to sign the letter, dated January 14, 2013, to John and Sarah Giles. Glenn seconded the motion, which passed unanimously**.
33) Correspondence: Orange Lake Resorts, Ascutney Mountain's Edge Condominium Owners Association – Glenn said the letters support the town's efforts to purchase the sewer system and to streamline the transfer of the Act 250 permit to the town. Glenn thanked Orange Lake and the Mountain's Edge Condominium Owners Association for their support. Glenn said he also received an email of support from the Mt. Ascutney Property Owners Association, so all three major user groups have indicated their support. Tom asked if we will need a full Act 250 application. Glenn said that decision has not been made. Bruce said it could be a minor amendment.
34) Other Business - None
35) Approve Minutes - December 4th: **Tom moved to accept the minutes of December 4, 2012 as written. Bruce seconded the motion, which passed unanimously**. December 10th: **Tom moved to accept the minutes of December 10, 2012 as amended. Bruce seconded the motion, which passed unanimously.** December 11th: **Tom moved to accept the minutes of December 11, 2012 as amended. Bruce seconded the motion, which passed unanimously.** December 13th: **Tom moved to accept the minutes of December 13, 2012 as amended. Glenn seconded the motion, which passed unanimously.** December 20th (7:30 AM): **Tom moved to accept the minutes of the 7:30 AM meeting on December 20, 2012 as written. Bruce seconded the motion, which passed unanimously.** December 20th (9:00 AM): **Glenn moved to accept the minutes of the 9:00 AM meeting on December 20, 2012 as written. Tom seconded the motion, which passed unanimously.** December 21st: **Bruce moved to accept the minutes of December 21, 2012 as written. Glenn seconded the motion, which passed unanimously.** January 3rd: **Tom moved to**

accept the minutes of January 3, 2013 as amended. Glenn seconded the motion, which passed unanimously. The Selectboard agreed to ask Martha to draft minutes for the December 10th site visit.

36) Adjourn – **Glenn moved to adjourn at 8:27 PM. Tom seconded the motion, which passed unanimously**.

Respectfully submitted,

Martha Harrison