

West Windsor Selectboard
Draft Minutes
January 14, 2019

Present: Win Johnson (by speaker phone), Matt Kantola, Brett Myers, Mike Spackman, Martha Harrison, Tom Kenyon, Shirley Ouelette, Cathy Archibald, Police Chief Bill Sampson, Nancy Gaynor, Nicholas & Felicity Knight, Laura Stillson, Ken Parrot, Jeff Epstein (Eagle Times), Lynn Birmingham, James & Cynthia Stacey, Peter & Melanie Gale

- 1) Call to Order – Selectboard Vice Chair Brett Myers called the meeting to order at 6:30 PM.
- 2) Changes or additions to the agenda – approve Selectboard Report; sign revised TA65 & TA66 forms for Bible Hill culvert project; confirm alternate Utility Advisory Committee member; Town Hall window washing
- 3) Announcements/Public Comment – Tom noted that re-paving Route 5 North is a high priority for the Transportation Advisory Committee
- 4) Sign Town Clerk's orders – **Brett moved to sign orders at the end of the meeting. Matt seconded the motion, which passed unanimously.**
- 5) Discussion with Police Chief – Noise issues: Win said the time has come for an enforceable solution. Cindy asked if the town has a noise ordinance. Win said no, but he'd like the Selectboard to adopt one. Matt noted that fireworks are already illegal. Win agreed but added that excessive target practice with semi-automatic and/or large caliber weapons is of equal concern to many people. Matt asked if the Windsor Police can do something about illegal use of fireworks. Chief Sampson said they can issue a citation if they are notified right away and catch the violator in the act. Win asked if photographic evidence would allow the police to enforce the state law. The Chief said yes. Two of those present said they had approached the young men who were shooting and setting off fireworks at a Cemetery Road residence and the young men seemed polite and receptive. It was noted that excessive lighting has been an issue at this same property. Matt suggested sending a letter letting the property owner know that the Police Chief has been made aware of the illegal use of fireworks and he will issue a fine if this violation of state law happens again. Win agreed that we should send a letter, ask the police to pursue any fireworks violations, start working on a noise ordinance, and then look into the light issue. Shirley said she heard fireworks on January 9th at 3:00 AM. Several people said they also heard them. Tom said he recalls the Selectboard considering a noise ordinance in the past but he doesn't think it was ever formally adopted. It was noted that the young men were seen standing on the back deck and shooting to the south where there is no back stop, which is a safety hazard. Given Vermont's gun laws, Brett asked if there is an appropriate time to call the police. Chief Sampson said you are allowed to target shoot on your property but there is also a disorderly conduct statute so there has to be reasonableness; if someone were being reckless, shooting across the road, onto someone else's property, or late at night, the police would investigate. Brett asked if the town can set limits in its noise ordinance. Chief Sampson said yes and, if the ordinance includes a penalty, it would be enforced by the Windsor Police Department. Shirley noted that her horses get spooked by shooting and fireworks. Chief Sampson said noise and lighting ordinances can be difficult because they sometimes have unintended consequences. Felicity asked if there are other parts of town that are experiencing noise issues, or other types of noise that are problematic. Chief Sampson said Hartland's shooting range has drawn complaints from both sides of the river, but they don't get many noise complaints from West Windsor. Felicity asked if other types of noise would be addressed by the ordinance. The Chief said an ordinance can be structured to

address a specific problem or a variety of problems. Nancy said if the town adopts an ordinance, they need to let people know about it. Win said with other ordinances, there's little or no penalty for the first citation. Nick suggested getting input from people like him who want to be able to shoot on their property. Brett invited Nick to help with the ordinance. Ken read from the statute on disturbing the peace, which prohibits shooting guns, blowing horns, and other similar activities between sunset and sunrise. Felicity said she thinks the geography of the area is part of the problem. Speed cart: Chief Sampson said he has assigned a sergeant to handle the speed cart. Mike said it would be helpful if we had a schedule. The Chief said that would be fine but, if West Windsor is having more issues, we can have it for a longer period of time. Matt suggested setting it up on Route 44. Win said that's a state road. The Chief said unless the state asks us not to, we can put it on Route 44. Win suggested putting it on the Brownsville-Hartland Road. Mike said he'll work with the sergeant to get it set up in an appropriate location. The Chief noted the data collection capabilities of the speed cart, which can help to either confirm or dispel complaints about speeding.

- 6) Consider signing contract with SWCRPC for assistance with revising the Town Plan – **Win moved to sign the contract with the Southern Windsor County Regional Planning Commission (SWCRPC) for assistance with revising the Town Plan. Brett seconded the motion, which passed unanimously.**
- 7) December Police Report – Win noted a couple of 911 hang-up calls in the report and asked Martha to let Leslie Levesque know about them.
- 8) Adopt Declaration of Official Intent re: construction of sewer system improvements – Win asked if items #8 through #13 are boiler plate documents for bond votes. Martha said yes, but we do need to choose a date for the informational meeting. The Selectboard agreed to hold the informational meeting for the sewer and water bond votes on Monday, February 25th. **Win moved to adopt the Declaration of Official Intent for the sewer improvements. Brett seconded the motion, which passed unanimously.**
- 9) Adopt Declaration of Official Intent re: construction of water system improvements – **Win moved to adopt the Declaration of Official Intent for the water improvements. Brett seconded the motion, which passed unanimously.**
- 10) Adopt Resolution re: the necessity of sewer system improvements and proposing the issuance of bonds, in an amount not to exceed \$700,000, subject to voter approval – **Win moved to adopt the resolution regarding the necessity of sewer system improvements and proposing the issuance of bonds, in an amount not to exceed \$700,000, subject to voter approval. Brett seconded the motion, which passed unanimously.**
- 11) Adopt Resolution re: the necessity of water system improvements and proposing the issuance of bonds, in an amount not to exceed \$425,000, subject to voter approval – **Win moved to adopt the resolution regarding the necessity of water system improvements and proposing the issuance of bonds, in an amount not to exceed \$425,000, subject to voter approval. Brett seconded the motion, which passed unanimously.**
- 12) Approve and adopt Warning for sewer and water bond vote – **Win moved to approve and adopt the warning for the sewer and water bond vote, noting that the vote will be by Australian ballot. Brett seconded the motion, which passed unanimously.**
- 13) Approve and adopt Form of Ballot for sewer and water bond vote – **Win moved to approve and adopt the Form of Ballot for the sewer and water bond vote. Brett seconded the motion, which passed unanimously.**
- 14) Approve and adopt Warning for Town Meeting – Win noted that we need the amount of the purchase price for the Burke property. Matt said we should have that information by Friday. Win suggested having the two library articles grouped together on the warning. Win asked

Tom if the library agreement being drafted by Dick Beatty and Matt Birmingham is almost done. Tom said he doesn't think Dick has had any further communications with Matt. Win said if the town and the library haven't signed an agreement prior to Town Meeting, then we may need to pass over the library articles. Win said he will contact Matt Birmingham. **Matt moved to approve and adopt the warning for Town Meeting. Brett seconded the motion, which passed unanimously.**

- 15) Highway Foreman's report – Trailer: Mike said the highway department purchased a trailer for the excavator today for \$3,500. Trucks: Mike said they're having a number of truck issues addressed while the weather's good, and added that it's all warranty work. The issue with the chipper getting too hot has been fixed and the new excavator should be here by mid-April. Speed cart: Mike said he'll contact Sergeant Adams and come up with a plan. Matt said we've paid for our half now. Brook Road: Mike asked if Windsor has paid the maintenance charge for Brook Road. Cathy said no; she'll contact their Treasurer tomorrow.
- 16) Consider appointing Assistant Zoning Administrator – **Brett moved to appoint Martha Harrison as Assistant Zoning Administrator. Matt seconded the motion, which passed unanimously.**
- 17) Board and Officer appointments – **Win moved to approve the following appointments: Chris Nesbitt and Katherine Wood to the Conservation Commission for a 4-year term, until December 31, 2022; Polly Ouelette to the Council on Aging; Shannon Harrington and Dick Beatty to the Development Review Board until December 31, 2021; Ted Siegler as Green-up Coordinator; Al Keiller to the Planning Commission until December 31, 2021; Jim Kenyon as Service Officer; Tom Kenyon to the Southern Windsor County Management District; Tom Kenyon as West Windsor's representative to the Southern Windsor County Regional Planning Commission (SWCRPC); Win Johnson as alternate representative to the SWCRPC; Tom Kenyon to the Transportation Advisory Committee; Tom Kenyon as Surveyor of Wood; and Ken Moore as Orange Lake's alternate representative to the Utility Advisory Committee. Matt seconded the motion, which passed unanimously.**
- 18) Water & Sewer Systems – UAC meeting: Martha said there is a Utility Advisory Committee (UAC) meeting next Monday at 4:00 PM. Martha said if Brett and Matt are available and would like to attend, Aldrich + Elliott will be present to review the Preliminary Engineering Reports for both the water project and the sewer project. Matt said he will probably attend. Butcher & Pantry: Martha said she is waiting for an application for additional water and sewer allocation from the store, due to the increase in the number of meals served per day. Win agreed that this item should be included on a future agenda. Matt asked if they are aware that they need to apply. Martha said yes; Lauren indicated that she has been in touch with their engineer. Win noted that there has been a kerfuffle with regard to the sign they want to put up at the store. Tom said it's his understanding that the sign issue has been resolved. Win said it's not resolved until the DRB issues a permit. Win noted that he has a conflict of interest with regard to the store's utility allocations because he is a member of the "Friends of the Brownsville General Store" group. Win said to the extent that he can participate in the discussion evenly, he will do so, if Matt and Brett want him to.
- 19) Other Business – Town Hall windows: Matt asked Tom how often the Town Hall windows get washed. Tom said not very often. Tom added that he was not satisfied with the work done in 2018 and would not recommend hiring that firm again. Matt said he thinks it's a good idea to have the windows cleaned annually but he thinks the town should get bids on the job. Tom suggested waiting five years to clean the windows again. Matt suggested creating an annual maintenance checklist for the Town Hall. Win asked Matt to work with Tom on that. Sign

revised TA65 & TA66 forms for Bible Hill culvert project: Win moved to authorize the signing of the forms. Brett seconded the motion, which passed unanimously. Selectboard report for Town Report: Win moved to forward the report to the Town Clerk for inclusion in the Town Report. Brett seconded the motion, which passed unanimously.

20) Approve Minutes – **Brett moved to approve the minutes of December 27th, December 30th and January 3rd. Win seconded the motion, which passed unanimously.**

21) Adjourn – **Win moved to adjourn at 7:55 PM. Brett seconded the motion, which passed unanimously.**

Respectfully submitted,

Martha Harrison