

West Windsor Selectboard
Draft Minutes
January 23, 2017

Present: Dick Beatty, Tom Kenyon, Win Johnson, Tom Urban, Cathy Boedtke, Ashley Pakenham, Deb Shearer, Jim Lyall, Martha Harrison, Mike Spackman, Cathy Archibald

- 1) Call to Order – Selectboard Chair Dick Beatty called the meeting to order at 8:00 AM.
- 2) Changes or additions to the agenda – Consider “Correspondence: Landino” first
- 3) Announcements/Public Comment – Cathy Boedtke noted that “Discuss logging in the Town Forest” is on the agenda and said it’s her understanding that the Selectboard and the Conservation Commission have agreed to discuss that issue at a joint meeting on February 13th. **Win moved to pass over the logging discussion. Tom seconded the motion, which passed unanimously.**
- 4) Correspondence: Landino – Tom Urban was present on behalf of Trace and David Landino. Tom Urban said the driveway paving work done in association with the sewer project is not satisfactory; it’s sinking and it’s beveled. Tom Urban noted photos showing puddles all the way down the driveway and said it should be fixed. Dick agreed that the problem should be fixed. Tom Kenyon agreed but said it won’t happen until spring. Tom Urban said he understands that.
- 5) Town Clerk/Treasurer’s Report – None
- 6) Sign Town Clerk’s orders – **Win moved to consider this item at the end of the meeting. Tom seconded the motion, which passed unanimously.**
- 7) Sign Town Meeting warning – This item was also moved to the end of the meeting.
- 8) Re-application for highway access: Dowd-Putman property (parcel #1-8) on Churchill Road – Mike said they’re going to have to install a culvert and ditch away from it on either side. **Win moved to approve the highway access application on the condition that it is designed in accordance with town standards for culverts and ditching. Tom seconded the motion.** Dick asked if Preston has determined whether or not the driveway proposal has to be approved by the Development Review Board. Martha said she will check on that. Dick noted that the only change is an increase in the width of the driveway. **Win amended his motion to include the condition that the driveway be constructed in accordance with any required DRB approvals. Tom seconded the amended motion.** Tom said he thinks the culvert will address his concern about snowbanks along the driveway blocking the flow of water. **Dick called for a vote on the amended motion, which passed unanimously.**
- 9) Event application by Brandon Baker & Ascutney Outdoors for “Winter Wild” (a snow run/ski mountaineering event) on Saturday, February 18, from 3:30 to 8:00 PM at the warming hut/rope tow area & adjacent trails – Deb Shearer said Ascutney Outdoors has approved this event. Deb noted similar events at other locations have drawn about 150 participants. The event will not be catered; there will just be hot cocoa in the warming hut. **Win moved to approve the application. Tom seconded the motion, which passed unanimously.**
- 10) Pakenham Trail discussion – Ashley had no concerns about continuing the license agreement with the Town. Ashley had photos documenting the violation that occurred on her property on July 30, 2015, which involved people on ATV’s camping on the property, vandalizing a stone wall to build a fireplace, having a campfire, tearing down signs, littering, and throwing

a smoldering log into the brush. Ashley said she alerted the Selectboard to this activity last year not as a complaint, because she doesn't think the violators were local, but to make the Selectboard aware of it. At the time, the Selectboard requested photos, which Ashley provided this morning for the record. Ashley said the license can continue to be renewed automatically. **Win moved to express appreciation for Ashley allowing the continuation of the license. Tom seconded the motion and expressed his appreciation for Ashley's generosity.** Ashley said she likes having responsible people use the trail because they help keep an eye on things. Ashley noted that a group of mountain bikers helped her clean up the mess from the illegal campsite. **Dick called for a vote on the motion, which passed unanimously.**

- 11) Approve & sign Lustberg trail agreement – Ashley said she doesn't think the Niles want bikes on the portion of the trail that crosses their property. Dick said the agreement with Rena Lustberg allows bikes, horses and hikers. Jim said STAB worked on the Niles portion of the trail about eight years ago but they haven't been up there in recent years. Ashley said the town has an easement over the Niles property. **Win moved to approve signing the Lustberg trail agreement for 2017. Tom seconded the motion, which passed unanimously.** Win read from the Niles easement, which specifies that “walking, running, skiing, horseback riding and bicycling” are allowed. Snowmobiles are not allowed. Cathy Boedtger asked if the Conservation Commission reviews these agreements periodically. Dick said he is not aware of any review requirements but the agreement includes an indemnification so it has to be signed by the Selectboard.
- 12) Correspondence: Christopher Allen & Anita Carlson-Allen – see “Other Business” below.
- 13) Highway Foreman's Report – Sand pile: Mike said the sand pile is getting smaller. Trucks: Mike noted that the truck the town is renting is 17 years old and has needed some maintenance. Mike hopes to get the town's regular truck back by the end of January. Win asked if insurance is covering rental, repairs and maintenance. Mike said yes. Mike confirmed that he was able to order the new 2018 truck for less than the amount budgeted, and it should be delivered by late July/early August. Illegal parking: Mike said a vehicle is parking in the town turnaround on Village Lane. Mike said he informed the vehicle's owner that he can't park there. After that, Mike said, the vehicle has been parked on the town property being used by Ascutney Outdoors. Mike said this morning it was back on Village Lane so he informed the Police Department. According to dispatch, Mike said, the town has to have a “no parking” sign posted in order to have the vehicle towed. Tom asked if the owner is parking overnight. Mike said yes. Mike noted that the vehicle is not registered. Dick suggested posting a “no parking” sign. Mike agreed. Tom commended the Highway Department for their work taking care of the roads.
- 14) Sign Certificate of Highway Mileage – **Win moved to sign the Certificate of Highway Mileage. Tom seconded the motion, which passed unanimously.**
- 15) Consider approving net metering agreement with Next Sun – Win thanked Dick for his work on the agreement. Dick said he has incorporated most of Gerry Tarrant's suggestions into the contract and sent it back to him. Dick expects to hear from Gerry tomorrow or Wednesday. Dick said if Next Sun agrees with the revisions, he would recommend that the town go forward with it. Dick asked Martha to complete Exhibit C. Dick said the revised agreement is structured so that, if we're under-using some meters and over-using others, we can make an annual adjustment so we're not getting billed for energy that we're not using.

- 16) Water project update – **Win moved to ratify Tom’s decision to hire Dave Silvester to do some emergency work on the well house. Dick seconded the motion, which passed unanimously.** Tom noted that he forwarded Bob Moulton’s email, about the piping in the vicinity of the Base Lodge, to Glenn Seward. Jim noted that Glenn is meeting with the demolition contractor right now. Dick asked if they’re going to be doing excavation work. Jim said he doesn’t know if they’re going to be doing that in the winter but they will be excavating in the spring. Tom noted Glenn’s request for the use of soil. Dick noted an email from Conservation Commission Chair Ted Siegler indicating that he has no problem with the soil request. Jim said Upper Valley Land Trust also has to approve it. Dick noted that John Roe and Jason Berard have been included in the communications. Win suggested a site visit prior to demolition to make sure we fully understand the request. Tom and Dick agreed. Win said, before the next regular meeting, he’d like to get an update from P2 on how the telemetry is working and whether there are any gaps that need to be addressed in order to reduce the need for frequent visits. Martha said the transducer has not been installed yet so all the telemetry is not working at this point. Tom said he thinks the road to Reservoir #1 should be kept open. Jim noted that the road does cross the ski trail and asked if there can be a little snow over one section. **Win moved to continue to keep the road to Reservoir #1 open with the understanding that Ascutney Outdoors can groom a small section. Tom seconded the motion, which passed unanimously.**
- 17) Well house discussion – Win suggested expanding the plan for a generator to include a comprehensive look at the well house area. Win wanted to let the electrical inspector know that we don’t want to do anything until we have a comprehensive plan in place. Tom said he feels like we did what the inspector asked; we secured the building so it can’t blow over. Win said he would like to retain A+E to develop a scope of work and facility plan for the well house and generator. Dick asked if we have an easement over that property. Martha said if we do, it’s for what’s there now so we should talk to Orange Lake about it. Win asked Martha to contact Jason for an estimate on a comprehensive plan. Martha said she had a long conversation with Jason about the well house and the contractor who is doing the electrical work for the water project has to move it and then, according to the inspector, it has to be secured before the work can be done. Win suggested doing the minimum amount of work necessary to get the electrical work done, and then getting the plan done. Tom questioned the urgency of the electrical work. Martha said it’s related to the telemetry so the water project can’t be finalized until it’s done, and the contractor is already pushing his deadline and requesting an extension. Win asked if the electrical work can be done without moving the well house. Martha said she doesn’t think so, based on the electrician’s email. If he moves it where he needs it to be, Martha said, then we can re-secure it and the work can be done. Win suggested doing the minimum necessary to get the wiring done and the project completed and nothing more until we have a comprehensive plan for the well house, the generator, the fuel source and the easement. Dick agreed with Win’s suggestion. Martha said, according to the inspector, we can use an alternate means of securing the building as long as it’s certified by an engineer.
- 18) Generator for well (scope of work for grant application) – See well house discussion.
- 19) Sign contract for inspection of sewer system storage tanks at pump station #1 – **Win moved to authorize the Chair to sign the contract. Tom seconded the motion, which passed unanimously.** Martha said Hartigan needs about 4,000 gallons of water to clean the tanks.

- 20) Surface water/drainage at pump station #1 – **Win moved to pass over this item pending a report from Mike Spackman. Tom seconded the motion, which passed unanimously.**
- 21) Review and discuss policy re: consumption of alcohol on town property – Win noted that the only policy we have now is for the Town Hall. Win said he thinks we need to revise our policy first and then consider creating a Facility Rental Agreement. Deb Shearer said Ascutney Outdoors discussed the issue of alcohol on town property and their preference would be for the town to allow it. Dick said Ascutney Outdoors could allow alcohol on the Base Lodge property, which they now own. Deb said for large events that occur both on AO property and town property, it could be difficult if AO and the town have different policies. Dick asked if there is anything in the Conservation Easement or the Community Forest Management Plan (CFMP) that addresses this issue. Cathy Boedtger said the Conservation Commission is just starting to work on the Events section of the CFMP. Cathy added that she is not aware of any language related to the use of alcohol in the Conservation Easement. Win said he supports AO's position and thinks there should be some provision to allow the distribution and consumption of alcohol associated with AO-sponsored events. Mike asked about insurance. Win said it's his understanding that if the event is catered, the caterer has a liability policy. Dick said if there's a lawsuit, everyone is going to be sued whether they're liable or not. Dick agreed that we need a policy that covers all town property, not just the Town Hall.
- 22) Review model Facility Rental Agreements – Win offered to use VLCT's model to draft a policy for the Selectboard to consider.
- 23) Discuss logging in Town Forest – The Selectboard agreed to pass over this item.
- 24) Board, Committee & Town Officer appointments – **Win moved to appoint Dwight Davis as Cemetery Sexton; the Selectboard as Animal Control officers; Rudy Gross and Barbara Gerstner to the Conservation Commission; Polly Ouelette to the Council on Aging; Genevieve Lemire and Jane Hoisington to the Development Review Board; Jim Kenyon as Emergency Management Coordinator; Ted Siegler as Greenup Coordinator; Elvin Kaplan to the Planning Commission; Tom Kenyon as Southern Windsor County Management District representative; Tom Kenyon as Southern Windsor County Regional Planning Commission (SWCRPC) representative; Win Johnson as alternate representative to the SWCRPC; Tom Kenyon as Transportation Advisory Committee representative; Tom Kenyon as Surveyor of Wood; and Preston Bristow as Zoning Administrator. Dick seconded the motion, which passed unanimously.**
- 25) Update on Certificates of Occupancy – Tom reported that he has completed one-third of the work and has some recommendations but would prefer to wait until he has completed the work to discuss the recommendations. Win said he thinks Tom's recommendations should go to the Planning Commission.
- 26) Town Hall projects – Tom said the inmates will be here to do their work this week or next week. Tom said he checked with Fire & Safety and we're not allowed to have storage of any kind in the furnace room. Win asked if the room can be subdivided so we can use part of it. Tom suggested asking Fire & Safety about that after the inmates are done with their work. Tom noted that Dave Silvester is now the Keeper of the Clock; he has taken over for Edson Pierce. Win said he and Glenn Seward are both willing to serve as back-up for Dave. Deb suggested inviting the school kids to watch the clock being wound. Tom said Dave also fixed the locks on both restrooms, and the door to the custodian's closet.

- 27) Other Business – Use of Town Hall for conferencing: Deb asked if AO could use the Town Hall facilities for a meeting that would include audio conferencing. The Selectboard agreed. Deb will work out the details with Cathy and Martha. Allen correspondence: Dick noted receipt of a letter from Christopher Allen & Anita Carlson-Allen requesting a reduction in their sewer fee due to the fact that they are not occupying their condo and rarely use the sewer system. Martha said the Utility Committee recommends that the request be denied based on the Sewer Ordinance. Dick agreed. Win said there's no provision for reduced fees in the ordinance. The Selectboard asked Martha to draft a letter denying the request. Old lodge demolition: Tom suggested discussing the demolition of the old lodge at a future meeting. Win said there had been a plan to demolish it inexpensively but then the issue of hazardous waste came up and it cost \$1,000 just to get a hazardous waste report. At their meeting yesterday, AO provided a new estimate for demolition, which takes the hazardous waste into account. Win said the town doesn't have funds budgeted to demolish the old lodge so it would be his suggestion that AO take the lead in fundraising for the demolition. Win added that there may be Brownfields grant money available. Epstein E-mail: Dick noted an email from Michael Epstein about replacing the culvert on Bible Hill Road. Mike said we request funding every year but we never know when we're going to get it. Maintenance parcel: Mike asked about restrictions on removing soil from the maintenance parcel. Dick said the only restrictions should be whatever state restrictions apply to all property. Martha said we couldn't disturb the contaminated area. Mike said he would like to cut the trees and remove some of the earth from the bank between the maintenance garage and the old lodge. Win asked Mike how he would stabilize the bank. Mike said once the building is removed the bank can be sloped but he would stabilize it in the interim. Mike said, according to Glenn Seward, AO can use the excess material. Win said he thinks the material is needed for the grip lift. Tom asked about the telecommunications easement on the maintenance parcel. Dick said we wouldn't be digging in the easement area.
- 28) Approve Minutes – January 4th (two meetings), January 9th: **Tom moved to approve the minutes. Win seconded the motion, which passed unanimously.**
- 29) Sign Town Clerk's orders – **Tom moved to sign orders. Win seconded the motion, which passed unanimously.**
- 30) Sign Town Meeting warning – Cathy had revised warnings for the Selectboard to sign. Because Lauri Bessey resigned as Auditor, a new Auditor needs to be elected.
- 31) Adjourn – **Win moved to adjourn at 9:42 AM. Tom seconded the motion, which passed unanimously.**

Respectfully submitted,

Martha Harrison