

West Windsor Selectboard
Draft Minutes
July 10, 2017

Present: Dick Beatty, Win Johnson, Brett Myers, Tom Kenyon, Martha Harrison, Mike Spackman, Deb Shearer, Cathy Archibald, Cathy Boedtker, Michael & Susan Epstein, Rob Calhoun

- 1) Call to Order – Selectboard Chair Dick Beatty called the meeting to order at 6:30 PM.
- 2) Changes or additions to the agenda – The following items were added to the agenda: Certificates of Occupancy update; Speeding on Brownsville-Hartland Road; BCA meeting on July 18th at 6:15 PM; Regional Planning Commission letter confirming West Windsor’s participation in the Grants-in-Aid program; Certificate of appreciation
- 3) Announcements/Public Comment – None
- 4) Bible Hill Road culvert replacement – Michael Epstein noted an email he sent to the Selectboard over the weekend. Dick and Win said they did not receive it. Michael provided background information on the damage done by Tropical Storm Irene and the efforts to get the culvert replaced since then. A 2014 hydraulic study has indicated that the culvert is totally inadequate. The town has submitted three grant requests to replace the culvert but none of them have been approved. Michael said his property and the Calhoun property could be severely damaged or destroyed at any time if the culvert is not replaced. Michael said he and Rob have asked the town to replace the culvert on a number of occasions but their request has not been approved. Michael noted the culvert on Harrington Road and the culvert on the Brownsville-Hartland Road that have been replaced since Tropical Storm Irene, and the culverts on Sheddsville Road and the north end of Bible Hill Road that have been replaced in the last decade or so. Michael also noted the recent paving of the Brownsville-Hartland Road. Michael said last year he asked the town to set aside \$25,000 per year for the next five years so the project can be done if the grant process continues to fail. Michael added that the capital budget shows the culvert being replaced in 2020 but there’s no money set aside for it. Rob Calhoun said the maximum amount of flood insurance available is \$250,000 and the replacement cost of their house is \$982,000 so another flood would be a disaster and he would appreciate some action on the part of the town. There was discussion about the costs associated with various options, including a concrete box and a pipe arch. Win agreed that this project is a priority but noted that paving grant funds cannot be diverted for culverts. Win said if we don’t get a structures grant soon, we’ll have to find another way to do this project. Rob said if we get a grant in 2018, it’ll probably be another two years before the project is done. Mike Spackman disagreed and said the project will be done in the same year the grant is received. Win said the town could put in a less expensive alternative structure but, after talking with Mike about it, he doesn’t think that’s the right way to go. Michael suggested using money from this year’s highway budget to get the planning and engineering work done. Susan asked how projects get prioritized. Dick said the Selectboard generally looks to the highway department for a recommendation. Michael asked when a grant is required to replace a culvert and when it can be replaced with highway budget funds. Mike said when a bridge is proposed, we need a grant. Mike said roads that are on the school bus route and paved roads are high priority, as are roads that serve higher numbers of people. Mike said this project is next on the list but there are many other deficiencies elsewhere in

town. Mike said now that we have a hydraulic study, we have to go with that recommendation. Rob asked for a temporary fix while the town continues to try to get funding for the recommended solution. Rob said if we have another flood and the road doesn't blow out, he's going to lose his house. Rob said the Selectboard has been optimistic about getting a grant for the past three years but hasn't gotten one. Michael suggested borrowing the funds for the project from the bond bank. Michael said he's not comfortable hanging his hopes on getting a grant next year. Win said we've hit the bond bank pretty hard already but there are other places to borrow money. Susan suggested getting the engineering work done. Win said, according to Mike, if we had the money we could do the project pretty quickly. Mike agreed. Dick said if we borrow the funds and start the project, we would no longer qualify for a structures grant. Win asked Mike and Martha to work up some options. Michael said they will come back in August or September to see what the town has come up with. Dick said given the choice of putting in an alternate structure at a cheaper price or borrowing the money to do it correctly the first time, he would prefer to borrow the money. Win said his understanding is that the alternate structure would require significant re-contouring of the road. Mike said one possibility for a temporary solution might be to put another 3 foot pipe beside the one that's already there, as a relief pipe. Mike cautioned that putting a new culvert in will not necessarily be a "cure all"; a tree could still come down and block the culvert. Dick said Mike's proposal sounds like a reasonable temporary alternative.

- 5) Fireworks Cleanup – Win said the Selectboard received complaints about "fireworks debris." Dick said measures have been taken to clean it up. Cathy Boedtger said it's never been a problem before but they used a new fireworks contractor this year. Cathy said the volunteers on the committee cleaned up the parking area and the area where people sit but, in the past, they haven't had to clean up the area where the fireworks are set off. Cathy and the Selectboard agreed that the issue will have to be addressed going forward. Dick suggested charging \$1 per car for parking and using the money to pay a group of high school kids to clean up the area the next day. Cathy said she thinks charging for parking is a good idea for all events, not just the Fourth of July.
- 6) Event application: Ascutney Outdoors' "Brownstock" music festival; Sunday, August 19th, from 1:00 PM until 6:00 PM in the rope tow/warming hut area on the mountain – This item was tabled until the next regular meeting on July 24th.
- 7) Old Home Day 2017 & 2018 – Tom said the event was extremely successful and they're already planning next year's event with a tentative theme of "2018 WWVFD – Sixty Years of Answering the Call." Tom said he thinks the road should be closed from 10:00 AM until 2:00 PM next year. Dick said he thought the police presence during the parade was good.
- 8) Henderson property discussion – Tom said the adjacent Johnson property cannot get power because the Hendersons will not give them a right-of-way for a power line. Tom suggested that the town accept the property, establish a right-of-way for power, fix the problems associated with Silver Hill Road, and then sell the property. Win asked Mike to consider if there are any benefits for the town in having access to the Henderson lot.
- 9) Highway Foreman's Report – Mike said the mowing is about one-third done. Planning for Phil's retirement party is underway. Dick gave Mike a draft of the Certificate of Appreciation, which Mike approved. Regarding the Silver Hill project, Mike said they're planning to cut the trees this week. Grading is nearly complete. Mike said they fixed wash-outs for three days and still have a few small ones. Later this week, they're going to replace some culverts that are two feet in diameter or smaller. After that, ditching with an excavator will be done. Mike said Dave Perry worked for three days for the Town of Thetford to help them get their roads repaired so we'll be able to rely on them next time we need assistance. Mike noted that we got 7" of rain and had no major wash-outs. Seems Road: Tom said Seems

Road needs to be re-graded so it doesn't keep washing out. Dick asked Mike to discuss the issue with Tom, and Mike agreed.

- 10) Ambulance response times – Dick said he talked with Tom Marsh again today but didn't get any new information. According to Dick, Tom Marsh repeated his recommendation that the caller call 911 a second time if there's a delay in response. Tom Kenyon described a recent call to which the FAST Squad responded in four or five minutes and the back-up ambulance service responded in about forty minutes. Win said he thinks we need to work harder to re-energize the FAST Squad and he would look to the FAST Squad for suggestions on how to do that.
- 11) Consider signing asset management grant agreement – This item was passed over.
- 12) Consider signing DWSRF planning loan application – This item was passed over.
- 13) Water system update – Martha said based on the fact that the wet area didn't dry up when Bob Moulton shut off the valve to the fire hydrant near the parking lot, our engineers think the leak is a result of Manosh's work rather than Daniels' work so Jason is going to discuss the issue with Manosh. They're going to have to excavate to figure out exactly what's going on. Win asked Martha if she knows when we'll have final project cost numbers. Martha said she's trying to get the numbers for the sewer project finalized but she'll talk with Jason about the water project numbers. Martha said she thinks it will be a couple more months because we don't even have a final pay request from Manosh yet. Tom asked who is supposed to turn the hydrant around. Mike said Bob Moulton said he would do it. Regarding the other leak at the PRV, Martha said Patricia is coming back tomorrow with Dana Arey to try to determine whether or not there's a leak on the outside of the vault so we don't dig it up unnecessarily.
- 14) Sewer Update – Village project final inspection/repair list: The Selectboard reviewed the list provided by Aldrich + Elliott. Regarding the Landino driveway, Dick noted that Jason's email says "As discussed in the field and after review, I don't believe that the driveway is an issue nor do I believe that Zaluzny Excavating has any further responsibility with this driveway. As discussed in the field walk-thru, the trench patch is in very good condition and the patch itself is a very good trench patch." Win said he's surprised that there were no other backfill issues on people's properties. Martha said she asked Jason about that because the property owners next to the Town Hall came to the public hearing and reported an issue. Martha said she will follow up with Jason on that. The Selectboard members agreed that it's not clear what Jason is referring to in #3 "Restoration on Landino property at ~Station 6+20" and #4 "Restoration on Landino back side of building secondary connection." Tom said the area where the construction trailer was sitting also needs attention. There's a grounding rod sticking up and it's difficult to mow the area because of the ruts. Tom said he hasn't heard any other complaints about settlement of backfill. Dick asked about the settled area on the west side of the Yates property. Martha said she will ask Jason if that's what he is referring to in #10 on his list. Win said the work to be done at the school by Daniels is not on this list, because this is a list for Zaluzny, but Jason addresses it in his email. Dick noted that there's not going to be anything done on the Landino property with regard to paving. Win said whatever we do for the Landinos, we have to do for the school. If we're not going to deal with aesthetic problems, we say to the school that what's there is serviceable and if they want to make it aesthetically pleasing, that's on them. Martha noted the email she forwarded to the Selectboard from Trace Landino. Win said we have a professional opinion that the trench patch on the Landino property is the best that can be done. Brett asked if there is a safety issue at the school. Win said he doesn't think so based on Jason's email, which says, "I believe that the pavement of this walk-way will still be a visual concern for the school as it is now a multi layered walk-way. With the exception of the items described above, I don't believe that the two contractors involved have a responsibility to remove and completely

repave the trench patch. I don't believe it is technically unsound, but more of an aesthetic issue at this point." Dick agreed that both parties should be treated the same way and he is opposed to making the areas aesthetically pleasing. Dick noted that the Town has to rely on its professional engineers to tell us whether or not the work is adequate. Tom said he heard there was water in the basement of the former Whiting house. Martha said Bob Moulton talked with the property owner and was going to look at it with her but she wasn't home when he knocked on the door. Martha said there's a well in the basement so there must be a pipe leading out from it and Bob thinks that pipe is blocked. Win said, at some point, it's not our obligation to inspect these things. Win said he would like a punch list for Daniels' as well. Treatment charges: Martha noted Windsor's revised sewer budget and the resulting revised treatment charge per user, which will be \$584.49. Martha said this year it was \$569.95. Win said he thinks the explanation was understandable.

- 15) VT Department of Tourism & Marketing ad campaign – Win said the narrative is well done but he doesn't think we should advertise the waterfalls on the Bicentennial Trail, given the trail's condition. Deb said if you do a search for the Bicentennial Trail, you won't find anything. Martha asked the Selectboard if there's a fifth attraction they would like to highlight, other than the waterfall. The Selectboard agreed to refer that question back to Steve Carihfield and Felicity Knight, who provided the draft narrative. **Win moved to approve the narrative with the fifth attraction to be addressed by the authors. Brett seconded the motion, which passed unanimously.**
- 16) June Police Report – Win noted that the report specifies "911 Route 44" and "1 Route 44" a number of times and asked why there would be that many calls to the same address. Martha said she thinks they're just putting in a generic address for directed patrols. Mike agreed. Dick said he talked with the Police Chief about speeding, especially on the Brownsville-Hartland Road, and asked him to increase police presence further up the road. Dick said the Police Chief agreed to do that.
- 17) Other Business – Board of Civil Authority: The BCA meets on July 18th at 6:15 PM. Dick noted that the grievances are available at the Town Hall if Brett or Win wants to read them.
- 18) Approve Minutes – **Win moved to approve the minutes of June 26th. Brett seconded the motion, which passed unanimously.**
- 19) Town Clerk/Treasurer's Report – Furnace protection plan: Cathy asked the Selectboard if they want to purchase an annual protection plan for the furnace for \$599.90. Win asked if the furnace is still under warranty. Cathy said they gave us the first year free. Dick asked if it has been a year since the furnace was installed. Cathy said yes. **Win moved to purchase the protection plan. The motion passed unanimously.** Part-time trail worker: Cathy asked if the Town is supposed to pay this worker. Dick asked if he becomes a town employee if the town pays him. Cathy said yes. Dick asked Cathy if she will have to deduct taxes from his pay. Cathy said yes. Win said STAB would reimburse the town but he doesn't know about workers' compensation insurance. Dick noted that the Town used to pay Jim Lyall. Cathy said the Town paid Jim and was reimbursed by the Conservation Fund. Win said he will look into this further.
- 20) Set 2017 Tax Rate – Dick said the tax rate can be broken down as follows: 0.147 for the town, 0.2176 for the highway, 0.0355 for appropriations, and 0.0398 for Act 144 school construction, for a total of 0.4399. Dick noted a non-residential state tax rate of 1.4436 and a homestead tax rate of 1.5777. Dick said the combined local and state tax rate for non-residents is 1.8835, and for residents it is 2.0176. **Win moved to approve those tax rates. Brett seconded the motion, which passed unanimously.**
- 21) Sign Dog Warrant – Cathy asked the Selectboard to sign four warrants for the 46 unlicensed dogs in town, which they did.

- 22) Sign Town Clerk's orders – **Win moved to sign the Town Clerk's orders. Brett seconded the motion, which passed unanimously.** Mike noted that the Fire Department has received additional donations for the memorial bench for Ralph Johnson. Dick asked when the road is going to be striped. Mike said he was told it will be done in August. Mike said the Regional Planning Commission has all the permits needed to remove the dam behind the Fire Station and they are getting ready to hire a contractor.
- 23) Certificates of Occupancy – Tom said he found someone in the zoning files who is being fined \$100 per day. Martha said she would have to see the letter Tom is referring to before commenting. Tom said he is about two-thirds done with the backlog of certificates.
- 24) Adjourn – **Win moved to adjourn at 8:24 PM. The motion passed unanimously.**

Respectfully submitted,

Martha Harrison