

WEST WINDSOR SELECTBOARD

Draft Minutes

July 9, 2012

Present: Glenn Seward, Tom Kenyon, Bruce Boedtke, Highway Foreman Mike Spackman, Trail Maintenance employee Jim Lyall, Town Clerk Cathy Archibald, Town Forest & Fourth of July Committee member Cathy Boedtke, Constable Ralph Johnson, *VT Standard* reporter George Calver, Martha Harrison

- 1) Call to Order – Selectboard Chair Glenn Seward called the meeting to order at 6:30 PM.
- 2) Changes or Additions – Tom noted the passing of Pinky Webster, Bud Blood and Pat Springer. Tom said he would like to report on the Transportation Advisory Committee (TAC), schedule a special meeting to discuss personnel matters, and discuss the Hammond Hill speed limit ordinance along with the Constable's Report. Tom asked Glenn if he is going to update the Selectboard on the sewer line funding. Glenn said yes. Tom noted that Ralph was appointed Police Chief several years ago and asked if that action needs to be undone. Glenn suggested asking VLCT.
- 3) Sign Town Clerk's Orders – **Tom moved to approve signing the Town Clerk's orders. Bruce seconded the motion, which passed unanimously.**
- 4) Public Comment – Sidewalk & roadside maintenance: Cathy Boedtke asked who is responsible for maintaining the sidewalks along Route 44. Glenn said he thinks the state usually sweeps the sidewalks and the shoulder area. Tom said the inmates from the correctional facility were scheduled to clean the sidewalks and fill the cracks but it rained that day so they will come another time. Tom said the state built the sidewalks and the town is responsible for maintaining them. Mike said his understanding is that the town maintains the sidewalks in the winter and the state maintains them in the summer. Glenn suggested asking Trevor Starr from the Agency of Transportation (District 4) for clarification. Cathy Boedtke asked when roadside mowing will be done. Glenn said the state mows Route 44. Mike noted that the interstates haven't been mowed either. Tom said they are mowing later to allow the wildflowers to re-seed. Mike said local roadside mowing will occur in September.
- 5) Town Clerk/Treasurer's Report – Tax collection authorization: **Tom moved to sign the document authorizing the Town Clerk to collect current taxes. Bruce seconded the motion, which passed unanimously.**
- 6) Budget review – Town: Glenn noted that the town will be over budget on legal fees by the end of the year but, other than that, the budget looks good. Bruce and Tom agreed. Highway: Mike noted that we are over budget on culverts and under budget on winter sand. Mike asked about the reason for being over budget on equipment rental. Cathy said the work done on the salt shed was included in that category. Bruce asked about our FEMA reimbursements. Glenn said the town has received reimbursement for 84% of expenses and is due to receive another 11% or about \$79,000.
- 7) Set tax rate – Glenn noted that the town has had some unanticipated sewer related expenses and is still appealing to FEMA to reimburse us for test borings on the Brownsville-Hartland Road. **Glenn moved to set the tax rate at 34 cents with 11 cents for the town, 15 cents for the highway, 4 cents for appropriations, and 4 cents for Act 144. Bruce seconded the motion, which passed unanimously.** Tom noted that taxes are due by 4:30 PM on the last Friday in October.
- 8) Town Constable's Report – Ralph said break-ins are still occurring. Hammond Hill speed ordinance: Tom said he was able to locate the traffic study and the minutes indicate that the ordinance was passed so he thinks he and Hal Pyke should just re-sign it and have the Town Clerk certify that it's an original copy. Glenn noted that the Windsor Police Department had requested copies of our ordinances and we were unable to find a signed copy of the Hammond Hill speed limit ordinance even though it is clearly indicated in the minutes that the ordinance was approved. Glenn said he would like to ask Town Attorney Matt Birmingham if re-signing it now is legal. Tom said okay. Ralph said the ordinance was adopted December 8, 2003 and took effect on February 7, 2004, but we can't find a signed copy. Glenn said he'll call the Town Attorney tomorrow. Unregistered dogs:

Ralph said there are still about 12 dogs that haven't been registered. Tom asked if we ever got a legal opinion about whether or not we can increase the penalty. Glenn said he doesn't think we did.

Delinquent taxes: Ralph noted that delinquent taxes are coming in slow but sure. Glenn said it's his understanding that a year has passed since last year's tax sale so there is a new owner of the units that were sold on the mountain. Ralph said they have to get a deed. Cathy said she'll have that tomorrow morning. Glenn noted that the whole issue is in litigation.

- 9) Highway Foreman's Report – Mike said the Nicholas project is complete and the highway department is working on a culvert on Morrison Road. Mike said summer scraping is nearing completion and mowing will start in September. Mike said they will start the Dugdale project tomorrow. Mike said there has been a delay in state approval for the Better Backroads project on Sheddsville Road so that won't start until August or September. Mike said the highway department started working on backfilling and grading the road on the Harrington Road side of the Bowers Covered Bridge. Glenn noted that Miller Construction is helping with the clean up around the covered bridge. Glenn said the Nesbitts have asked that the leftover rip rap be removed so the field can be hayed and that the access to the field be maintained. Glenn said the Nesbitts also approved the removal of the three small elm trees along the road. Glenn suggested planting some sugar maples on either side of the bridge during the clean up process so we don't have to disturb the area twice. Glenn said it's about \$580 for each 16' tree. **Glenn moved to purchase 4 sugar maple trees from Skyline Nursery for \$580 per tree installed. Bruce seconded the motion, which passed unanimously.** Barton Road: Glenn said Barton Road is washed on the lower portion and abutting property owner Jack Schofield has offered to pay Randy Perry to do the necessary repairs. Tom said it should be clarified that future repairs need to be cleared through the Selectboard as well. Glenn said he will mention that in his thank you note to Jack Schofield. Glenn said Ted Siegler has asked the Selectboard to consider reclassifying Barton Road from "Class 4" to "Legal Trail." Mike and Bruce liked that idea. Tom suggested getting a written request from the Conservation Commission. Mike suggested asking Mr. Schofield how he feels about it. Disaster review panel: Mike said he has been asked to serve on a panel with the Agency of Transportation, Better Backroads and FEMA to review what happened following Tropical Storm Irene. Everyone agreed that the constant changing of FEMA representatives was a big problem. Tom noted the importance of pre-planning.
- 10) FEMA update – Brownsville-Hartland Road: Glenn said our request is in the appeal process and they have 90 days to give us an answer.
- 11) Hammond Hill Road speed limit ordinance – This item was addressed under the Constable's report.
- 12) Coaching Lane improvements & reclassification – Tom noted that the road under consideration is the road to the town forest. Glenn said he has informed the abutting property owners of the town's intentions by letter and has heard no objections. Glenn said the Selectboard has to set a time and date for a site visit and hearing. **Tom moved to hold a public hearing on August 13th at 6:00 PM to consider upgrading Coaching Lane to the town forest for the purpose of reclassifying it from Class 4 to Class 3 under construction. Bruce seconded the motion, which passed unanimously.** Coaching Lane extension: Glenn said the Selectboard has discussed creating a special tax district to pay for upgrades to Coaching Lane Extension but has not discussed it with the Town Attorney. Glenn suggested asking the property owners for their initial thoughts on the concept. Bruce suggested a special meeting. Cathy Boedtke suggested a Saturday meeting or speaker phone access to accommodate out-of-state property owners. The Selectboard scheduled a meeting for Saturday, August 11th at 9:00 AM. Speed limit: Cathy asked about having a speed limit sign on Coaching Lane. Mike said there has to be a traffic study and an ordinance. Glenn asked Ralph to help with the traffic study. Glenn said he will post a sign indicating which direction to go to access the town forest. Ralph said there should be "no parking" signs on Ski Tow Road. Mike said he will order some signs.
- 13) Conservation Commission appointment – Tom said he thinks the town should advertise the opening. Bruce asked if the Selectboard will make the appointment at the next meeting. Glenn said yes.
- 14) Law Enforcement update – Glenn noted that the Windsor Police Department took over law enforcement duties in West Windsor as of July 1, 2012. Glenn said the Windsor P.D. is aware of the

recent break-ins. Glenn added that the Windsor P.D. was here for the Fourth of July parade and everything went well. Glenn thanked the Fourth of July committee for a great celebration.

- 15) Sewer line update – Glenn said the Selectboard is waiting for Snowdance to provide the town with a purchase and sales agreement. CWSRF application: Tom asked about the status of our Clean Water State Revolving Fund application. Glenn said the application was submitted by the deadline. Glenn added that we may need to undergo an environmental impact study, and we will have to have the Act 250 permit transferred if the sale takes place. Glenn said the town's engineers don't think an environmental impact study is necessary. Glenn said Don Robisky has agreed that pigging the entire line is not necessary and can just be done on the flat sections, which reduces the due diligence costs. Glenn said he will call a meeting when the town receives the purchase and sales agreement. Glenn said the purchase and sales agreement should be shared with the various user groups.
- 16) Consider preliminary engineering proposal from A&E for village utilities – Glenn suggested asking Aldrich & Elliott (A&E) for a proposal for the Selectboard to consider. Glenn said he thinks the engineering study would cost about \$40,000, which can be funded with a state planning loan for 5 years at 0%. Bruce said he doesn't mind asking for a proposal but he would not want to move forward with the study until we're closer to signing the purchase and sales agreement. **Tom moved to authorize the chair to request a proposal for an engineering study from A&E. Bruce seconded the motion, which passed unanimously.**
- 17) Town Forest trails update – This item was tabled pending Jim Lyall's arrival.
- 18) Storage in the floodplain – Glenn said hay bales that were stored in the floodplain washed downstream during Tropical Storm Irene and contributed to a considerable amount of damage to town infrastructure and private property. Glenn said he thinks the situation needs to be addressed. Glenn added that the farmer had started stacking hay bales in the same place this year so he called the farmer and asked him to move them, which he did. Glenn said he thinks it would be prudent for the Selectboard to have some leverage to keep stuff out of the floodplain. Glenn said it doesn't appear that it can be done through the zoning process but, by statute, the Selectboard is obligated to protect public infrastructure so an ordinance might be in order. Tom said he favors an ordinance because it allows for quicker enforcement. Bruce agreed. Glenn said Martha drafted an ordinance, which she will send to Bruce and Tom tomorrow. Tom suggested sending it to the Town Attorney. Tom asked if there are other towns that have a similar ordinance. Glenn said he thinks West Windsor will be on the cutting edge but, given what we experienced during Tropical Storm Irene, he's willing to go out on a limb. Bruce said there should be some consideration for temporary storage. Glenn said the draft ordinance would allow for some activity with the provision that anything stored in the floodplain has to be removed if there is a Flood Watch or Flood Warning. Cathy Boedtke questioned the need for an ordinance. Discussion followed.
- 19) Correspondence: Amy Yates – The Selectboard received a thank you note from Amy Yates.
- 20) Approve Minutes – Tom asked why the minutes are not being forwarded to the Town Clerk. Martha said she will give Cathy the minutes tomorrow. February 21st: **Bruce made a motion to approve the minutes of February 21st as written. Glenn seconded the motion, which passed unanimously.** June 7th: **Glenn made a motion to approve the minutes of June 7th as written. Bruce seconded the motion, which passed unanimously.** June 11th: **Glenn made a motion to approve the minutes of June 11th as written. Tom seconded the motion, which passed unanimously.** June 21st: **Bruce made a motion to approve the minutes of June 21st as written. Tom seconded the motion, which passed unanimously.** June 26th: **Tom made a motion to approve the minutes of June 26th as amended. Glenn seconded the motion, which passed unanimously.**
- 21) Other Business – Personnel meeting: Tom said he would like to schedule a meeting on personnel matters. Bruce said he will send Tom and Glenn some dates and times that would work for him. Rescue Policy: Tom said Mike drafted a mountain and trails rescue policy for the Fire Department, which was passed by the membership. Jim Lyall said he updated the trails map for the Fire Department. Transportation Advisory Committee (TAC): Tom said TAC is going to discuss the Accelerated Bridge Construction (ABC) program. Mike said the ABC program makes sense.

- 22) Town Forest Trails – Glenn noted that the town finally received an Act 250 permit for the trail network, which is available for public inspection. Glenn said the prohibition on pressure-treated wood is mind boggling. Jim suggested using locust and hemlock as an alternative. Jim said the suggested procedure for preventing runoff of exposed soil would result in three times as much disturbed soil as the actual trail construction. Bruce said the objective is to get things stabilized. Jim Lyall presented his trail report, which is attached. Glenn said keeping a log is one of the permit conditions. Glenn asked Jim how he wants to handle that. Jim said he will create a check list with all the stream crossings on it. Bruce said we should have a copy at the town office. Glenn asked Jim to submit the checklist once a month. Promotion: Jim created an 8.5” x 11” poster to email to bike shops in New England. The Selectboard said the link on the poster should be to West Windsor’s website. Cathy Boedtger said she thinks the Town Forest Committee (TFC) should review the poster. Cathy said to promote economic development, the poster should say “West Windsor” so people google the town. George said the *Vermont Standard* would like to do a story on the trail system. Jim said the *Valley News* would like to do a story as well. Jim showed the Selectboard a video that he created of people mountain biking on the trails. Jim said he would like to put it on you tube. Jim said he’d like to do a short video once a month. Cathy said the video is all about biking; she thinks we should promote all non-motorized trail activities. Jim said each video can feature a different activity or angle. Bruce suggested a family focus. Tom said he would like the TFC to weigh in on it. Cathy said it’s too bad West Windsor doesn’t have a logo. Glenn said we’ll get this stuff to the TFC but he would like to expedite the promotion of the trails.
- 23) Bicycle and Pedestrian facilities grant - Martha said the focus of the grant seems to be on improving bike and pedestrian facilities – sidewalks, shoulders, cross walks, etc. - in village areas. Mike noted that the Town of West Windsor and the State of Vermont are going to resurface the shoulder on the north side of Route 44 from Seems Road to the Post Office. Martha said she will scan the application information and send it to the Selectboard. Martha said she thought it might dovetail with something that Courtney McKaig may be working on.
- 24) Adjourn - **Glenn moved to adjourn at 8:40 PM. Bruce seconded the motion, which passed unanimously.**

Respectfully submitted,

Martha Harrison