

West Windsor Selectboard
Draft Minutes
June 13, 2016

Present: Tom Kenyon, Win Johnson, Emily Lather, Laura Farrell, Bill Stillson, Mike Spackman, Cathy Archibald, Ted Knox, Claudia Sacuk, Steve Crihfield, Deb Shearer, Martha Harrison

- 1) Call to Order – Selectboard Vice Chair Tom Kenyon called the meeting to order at 6:30 PM.
- 2) Changes or additions to the agenda – July Fourth fireworks contract, tax rate, dog complaint
- 3) Announcements/Public Comment – None
- 4) Fireworks contract – Emily Lather presented the Selectboard with the fireworks contract. **Tom moved to approve and sign the contract. Win seconded the motion, which passed unanimously.** Emily asked if the Selectboard also has to sign the parade permit. Tom said no.
- 5) Sign Town Clerk’s orders – **Tom moved to sign orders. Win seconded the motion, which passed unanimously.**
- 6) Town Clerk/Treasurer’s Report – None
- 7) Consider request to waive fees for EC Fiber Project – Martha said Ken Parrot sent an email to Win requesting that fees associated with the project be waived and Win asked to have the request placed on tonight’s agenda. If the fees cannot be waived, Martha said, Ken asked if EC Fiber could be billed monthly for the fees. Win noted that West Windsor is a member of EC Fiber and Ken is a volunteer appointed by the Selectboard. Tom suggested that the town bill EC Fiber. Win said that’s fine as long as we do the same with other municipal entities. **Tom moved to bill EC Fiber. Win seconded the motion, which passed unanimously.**
- 8) Highway Foreman’s report – Mowing: Mike said the roadside mowing is about half done. Culverts: Mike said culverts were replaced on Hotel Road and Brownsville-Hartland Road and the areas will be paved after the base material is compacted. The highway department continues to replace black PVC culverts that have not held up as expected. Training: The highway crew is going to mower safety training on Wednesday. Salt: Mike had a salt contract from Cargill. The price for guaranteed tonnage is \$86.03. For \$78.54, the tonnage is not guaranteed. Mike recommended contracting for guaranteed tonnage. **Tom moved to approve the contract for guaranteed tonnage. Win seconded the motion, which passed unanimously.** Win asked Mike to find out, for next year, if any towns have gone with the “non-guaranteed” option and what their experience was. Mike noted that the price varies from district to district. New hire: Mike said Dave Perry started working for the town a week ago. Bowers Bridge: Win asked about Bowers Bridge. Mike said there are 6 to 8 signs on each side of the bridge warning of the dip, the speed limit, etc. Silver Hill: Tom said he had a request for road widening on the section of Silver Hill near Hendersons. Mike said that road sits on ledge so the project would cost a lot. Tom suggested that Mike consider it for next year. Mike said money would have to be budgeted.
- 9) Discuss use of maintenance parcel with Ascutney Outdoors – Laura asked about the town’s plans for the maintenance garage. Win said it’s his understanding that when the town acquired the maintenance parcel, no one was considering that there might be a need to store groomers in it. Win added that the building has value for the town for equipment storage. Win said the question is whether the two organizations – Ascutney Outdoors and the Town – share space or have separate space. Win said he thinks separate space is preferable for security reasons. Win said, in the short run, the Town understands that AO needs to share the space until an alternative is available. Win said the Town needs to know what AO’s space requirements are. Mike said he was asked, years ago, if the highway department and/or the fire department could use the maintenance garage and he said yes. Bill asked Win what he means by “security.” Win said if two entities have access to the building, there could be finger pointing if, for example, someone fails to lock the door. Win noted that the doors and windows need to be repaired and the place needs to be cleaned up. Tom estimated \$5,000 in repair costs, which the town has not budgeted. Win agreed that the town has not yet decided to proceed with improvements to the building. Laura said AO has a responsibility to the town to “bring the mountain back to life” and they’re running out of options for the space they need to do that, given their financial constraints; they don’t have the funds to

build a storage space for a groomer. Win suggested the area where the compressors used to be as a possible site for a second equipment garage but added that the town would need to get MFW's approval. Steve asked if the maintenance garage could be shared on a seasonal basis given AO's need for a groomer nearby in the winter. Steve asked if the town has any alternative storage options. Mike said the Town Garage is full and the Fire Department's trailer is sitting outside. Win noted that the Town is going to have back-up pumps for the water system that will need to be stored somewhere. Win said the two organizations need to sort through their respective needs and figure out how to resolve them. Claudia said she thinks the townspeople want the mountain for public recreation and asked if there could be an addition to the Town Garage to store town equipment. Steve said AO has a clear idea of what they would like to do and now they're trying to figure out what they can do but, in their preliminary plan, they were not anticipating that AO would be financing a maintenance building. Bill said he thought the town was interested in acquiring the mountain property to establish an economic driver that would help revitalize the town and improve the Grand List. Bill said at the beginning he thought this was going to be more of a collaborative effort and it doesn't seem to be working out that way. Win said there are competing needs here and we need to work cooperatively to figure out a way to accommodate them. Bill said he's not sure AO can be sustainable if they have to finance the construction of a storage facility. Steve said AO would like to put up a temporary warming hut for this winter, with no plumbing, and maybe some lights for night skiing. There was discussion about the demolition of the old lodge on the maintenance parcel. Laura said AO's offer to tear it down still stands. Tom said it's his understanding that the town would have to pay for the dumpsters and the town doesn't have a budget for that property yet. Laura offered to look into the cost of dumpsters. Win asked Laura if she knows what parts of the snowmaking system AO would like to keep. Laura said yes; she has a list. Win said once the town has Laura's list they can get someone in to determine whether the remaining materials and equipment have salvage value or not. Win noted that the lease agreement includes a provision for both entities to review all the fixed assets on the mountain and decide who wants what; this is a step in that direction. Laura asked if it would be possible to site the warming hut on the edge of the maintenance parcel. Win said he thinks there's a good possibility, especially since it's a temporary building. Win reminded Laura and Steve that the lease agreement calls for a financial statement within 90 days of the end of AO's fiscal year. Laura said AO is planning a music event for July 30th and asked if they need to get a public assembly permit for it. Win said the town needs to know about it so we can alert the fire department and the police department. Tom said the town also needs to make sure there isn't a conflict among events (i.e. two events planned for the same time and/or place). Deb said she will send Martha a list of events.

- 10) Consider temporary construction license agreement with Mountainside – Martha said Matt had originally said he doesn't think a license agreement is necessary so she emailed him today to find out if he still feels that way and if Nate Stearns agrees with him, but she has not heard back. Win asked if the easements are all signed. Martha said no; Matt sent a revised version of the easement template to the Selectboard last week. Martha said she had a question about the revised version but has not heard back. Regarding the license agreement, Win said an opinion that we don't need it and a recommendation that we don't sign it are two different things. **Win moved to inform the Town Attorney that the Selectboard intends to sign the license agreement with Mountainside at their next meeting unless they hear from him that they should not do so. Tom seconded the motion, which passed unanimously.**
- 11) Village sewer update – Tom said the sewer should be operational by July 2nd but the project will not be completely finished; there will still be some seeding and paving. Win asked Cathy how quickly the state reimburses us for project expenses. Cathy said it takes about three weeks. Win asked if the project is going to come in on budget. Martha said, at the meeting this afternoon, A+E sounded hopeful that it might be a little under budget. Martha noted the upcoming monitoring visit by VCDP on June 28th and the extensive checklists they sent in advance of their visit.
- 12) Sewer ordinance revisions – **Win moved to defer discussion of the sewer ordinance revisions. Tom seconded the motion, which passed unanimously.**
- 13) Water system update (easements, ordinance, draft Permit to Operate) – Total project cost: Tom said he and Martha talked with A+E today about the revised total project cost of \$675,000 and if we remove the

road, the fence and the main well generator from the project, we can reduce the total project cost to around \$575,000. Tom suggested that the town still consider installing a generator at the main well but not as part of this project since the state does not require it. Win said we should sign the letter A+E drafted for us asking for expedited consideration of our application for a Permit to Construct. **Win moved to sign the letter and get it in the mail as soon as possible. Tom seconded the motion, which passed unanimously.** Permit to Operate (PTO): Martha said the PTO application was submitted last August and she thinks the permit has to be renewed every three years. The previous permit, which was held by another entity, has expired. Martha said Nate Pion (A+E) is concerned about the deadlines included in the draft PTO. If we don't get the Permit to Construct (PTC) by July 8th, it's unlikely that we can get this project completed by December 31st and A+E is skeptical about the likelihood of us getting the PTC by July 8th. Win asked if we need to sign the PTO. Martha said no; they just want our comments on the draft. Win suggested that we tell them the dates are too tight. Regarding the requirement, in the PTO, that we have an approved coliform sampling plan, Martha said Patricia has been going back and forth with the state trying to get a plan approved but they are insisting that she sample in an area to which she has no access. Win suggested consolidating everyone's comments in a response. Tom asked Win if he is okay with excluding the road, the fence, and the main well generator from the current project. Win said he doesn't think we have a choice; we'll have to include them in the long range plan instead. Martha said Patricia asked if we could have B.J. Harrington mow up to tanks #2 and #3 again. Tom said he will take care of that. Regarding the temporary electrical permit for the water system, Martha said she has scheduled a site visit with Dennis Brown and the electrical inspector for June 23rd but if we don't get the project completed by December 31st that permit will need to be renewed again as well.

- 14) Sign bond bank loan documents (Step II – Final Design of Water System) – Martha said the documents are set up for Dick Beatty's signature. **Win moved to authorize the Chair to sign the bond bank documents for a loan in the amount of \$51,300 at 0% for five years for final design of the water system improvements. Tom seconded the motion, which passed unanimously.**
- 15) Brook Road property demolition update – Martha said she contacted the new owners of the adjacent property and they are comfortable with their property being used as a staging area to demolish the home across the brook. She is waiting for their signed letter of agreement. Martha said she put a notice of the RFP in the Valley News and the Vermont Standard and also sent it directly to seven contractors. The deadline to reply to the RFP is July 8th. Martha said she will be out of the office that week but Cathy has agreed to accept any bids submitted in her absence. Martha said she is also trying to obtain in advance any permits needed for the project. Ted Knox asked how the contractor is going to get the mobile home across the brook. Martha said they will probably need to use a crane. Tom asked about asbestos. Martha said there is asbestos so the contractor will have to take care of that.
- 16) Review Certificate of Public Good issued to Mountain Funds, LLC – Win asked if the issues are basically screening issues. Martha said it looks like the PSB included the less stringent of the suggested screening requirements; once the plantings have survived for three years, the certificate holder is no longer obligated to replace them. Martha said the Regional Planning Commission wanted the CPG to require the holder to guarantee the replacement of the trees for the life of the project. Win said he thinks the town should support the RPC's position and asked if we have any leverage. Martha said we can notify Attorney Tarrant, who is representing us on this issue. **Win moved to support the Regional Planning Commission's position on this issue. Tom seconded the motion, which passed unanimously.**
- 17) Consider Group Net Metering Agreement with Mountain Funds, LLC – Win asked if we have provided the requested information on energy usage. Martha said yes. Martha said the original agreement was a 10-year agreement with a 15% reduction. The new agreement is a 25-year agreement with a 12.5% reduction. The Selectboard agreed to wait to hear from their attorney before acting on the proposed agreement.
- 18) Update on Town Hall projects – Heating system: Tom said the system is being installed and the corrections facility has agreed to do whatever patching and painting is necessary. Clock: Tom said the company that is restoring the clock found some rust on it after they removed it from the Town Hall. Repairing rust damage was not included in the company's original estimate but they can do it for an

additional \$4,500. **Tom moved to approve the additional work and arrange to pay for it next year. Win seconded the motion, which passed unanimously.** Win asked if the roof work is finished. Tom said yes. Tom noted that the old oil tank is going to be removed and the new propane tank is going to be installed.

- 19) Correspondence – Mary Whiting: The Selectboard received a letter from Mary Whiting suggesting that the landscaping at the Town Hall is in need of attention. Tom said he is consulting with Dick Stevens of Skyline Nursery. Win asked Tom to report back to the Selectboard after he consults with Mr. Stevens so the Board can respond to Mary.
- 20) Tree Warden update – Tom said the sewer contractor accidentally removed a tree in the vicinity of the Whiting and Sykes (King) properties so they are going to replace it. Tom said he thinks the area between the store and its abutter would be a better location for the replacement tree and suggested a shad bush. Ted Knox noted a big hollow tree near the old schoolhouse across from Hale’s (near the Kramer property) that needs to come down. Tom said he has already spent the tree removal budget for this year but will consider it for next year.
- 21) Review May Police Report – Martha said there were a number of burglary alarms and a missing person. Mike said the missing person was found.
- 22) Other Business – Tax rate: Tom said whenever we get the final information from the state, we can have a special meeting to set the tax rate so the Treasurer can mail out bills. Budget: Win asked Cathy where we are with getting the budget into the system. Cathy said she can run a budget v. actual report for the next meeting. Dog complaint: Tom said the dog owner got married and is moving out of town. Tom said he notified the person who complained but, since then, the dog has been barking again. Win asked if the Selectboard can tell the dog owner that they are creating a nuisance. Tom said yes. Sewer ordinance: Win said he would like to schedule a work session to finish revising the sewer ordinance, to review the revised Rules of Procedure and Conflict of Interest policy, and to begin working on the water ordinance. Mike said the Personnel Policy also needs to be finalized. Capital budget: Mike said he is waiting for a final draft of the capital budget for the fire department and the highway department from Jason Rasmussen. Coaching Lane: Mike said he met with state officials two weeks ago with regard to the permit for the proposed work on the Coaching Lane-Route 44 intersection. Mike said starting next year there will be a \$250 fee for the town to get a permit to work in the state highway right-of-way. Mike said he was told that the grant letters are in the mail but he doesn’t know whether we got one.
- 23) Approve Minutes - May 23, 27 & 31: The Selectboard agreed to defer consideration of the minutes until the next meeting.
- 24) Adjourn – **Win moved to adjourn at 8:05 PM. Tom seconded the motion, which passed unanimously.**

Respectfully submitted,

Martha Harrison