

West Windsor Selectboard
Draft Minutes
June 24, 2019

Present: Win Johnson, Brett Myers, Matt Kantola, Martha Harrison, Tom Kenyon, Mike Spackman, Cathy Archibald, Shelley Seward, Cathy Hoyt (Windsor on Air), Deb Shearer, Peter Varkonyi, Bill Stillson, Erica Stillson, Steve Crihfield, Shirley Ouelette, Natalie Starr

- 1) Call to Order – Selectboard Chair Win Johnson called the meeting to order at 6:30 PM.
- 2) Changes or Additions – Barton Road repair, July Fourth parade invitation
- 3) Public Comment – Tom noted the passing of Mary Whiting. Shelley said the service is at 4:00 PM on July 14th at the Ascutney Outdoors Center. Vermont 100: Erica Stillson asked about using the east end of the Ski Tow Road parking lot for a few hundred cars from Friday, July 19th until Sunday, July 21st if Silver Hill is too wet. Win asked Erica if she has checked with Ascutney Outdoors (AO) about their schedule. Erica said there was nothing on their website. Shelley said she will check AO's calendar. Win asked Erica when she will know whether they need the parking lot. Erica said it will be a last minute decision. Win said he has no problem with it as long as it doesn't conflict with an AO event. Martha said the event organizers will just need to sign a Facility Use Agreement. **Brett moved to allow the Vermont 100 to use the Ski Tow Road lot as a contingency parking area for their event from July 19th through July 21st. Matt seconded the motion, which passed unanimously.**
- 4) Town Clerk/Treasurer's report – Sign orders: **Brett moved to sign orders. Matt seconded the motion, which passed unanimously.** Review YTD financial information: Win noted that the highway budget amounts should be \$5,000 for equipment rental, \$44,000 for culverts & gravel, and \$1,000 for repairs to the 2020 truck. Win noted that the significant difference between budget and actual amounts for maintenance of the highway garage is due to the replacement of the boiler. Win asked Cathy if the \$229,340 transfer was for the excavator. Cathy said it was for the truck and the excavator. For the general fund, Win said there were budgeted amounts for accounting reimbursements and EC Fiber. For Town Hall, \$2,000 was budgeted for ground care, and \$3,500 for wastewater fees. Liquor license applications: Cathy had three applications: one from Skinny Pancake for August 10th from 10:00 AM until 8:00 PM for the Point to Point event; one from Butcher & Pantry for July 3rd from 4:00 to 9:00 PM at Ascutney Outdoors, and one from Butcher & Pantry for July 6th from Noon until 2:00 PM at Ascutney Outdoors. **Matt moved to approve the Skinny Pancake application. Win seconded the motion, which passed unanimously. Brett moved to approve the Butcher & Pantry's July 3rd application. Win seconded the motion, which passed unanimously. Brett moved to approve the Butcher & Pantry's July 6th application. Win seconded the motion.** Peter said there were two previous records in the Selectboard minutes that these application were discussed and when he brought them to Cathy last week, she said they were not approved, so he's wondering if there's a way to make the process more efficient. Win said they were discussed in the context of police coverage, but we didn't actually have the license applications. **Win called for a vote on the motion, which passed unanimously.**
- 5) Burke property update – Martha said she sent the BRELLA application by certified mail, so she knows it got there but Shawn didn't have it yet so she sent him the receipt showing it was delivered. Win said he has not heard from Matt Birmingham but he doesn't see why we can't close on Friday. Win said we've been assured that our BRELLA application will be approved. Matt suggested a walk through on Thursday to make sure Gary has removed his stuff. Win said Gary asked for a few extra days to get his stuff out and Win said he didn't

think that would be a problem. Win also noted that the state would like us not to do anything invasive in the building or on the property for a while so they can do some additional investigation at their expense. Win said, from his point of view, we should give them until August 15th; in the meantime, however, Mike would like to do some staking and brush cutting for the sand pile and we told the state we would be doing that. Matt asked when the closing is scheduled. Win said it's not scheduled yet but it should happen Friday, at the latest. Matt suggested a walk through at 9:00 AM on Thursday to make sure we're not left with any hazardous chemicals. Win said he will call Gary and make sure that's okay. Win asked Martha to let the Selectboard know as soon as she hears from Shawn Donovan.

- 6) Discuss need for police coverage for events involving alcohol – Win said we're getting push back on the Police Chief's recommendations for coverage at events where alcohol is being served. The push back has to do with the expense and the necessity for coverage when there are licensed vendors. Win asked if the Hotel has to get a license for a wedding, and what dictates when you have to get a license. Cathy said if they're on their property, they don't need a license; when you're off the premises, you have to get a license. Peter said instead of looking at it as "on premises" or "off premises," he thinks the type of event and the population attending the event should be considered. When there's a large group of people, and alcohol is being served, there's a better way to analyze the liability associated with the event, other than location. Peter noted the bylaws of the Department of Liquor Control regarding what's open container and what's not open container. Win said we don't have hard and fast criteria, but people are asking why we need to have two police officers present for an athletic event, a family event, or a town event where there are a lot of people around. Matt noted Ben Bardwell's intent to switch to BYOB if they have to have police coverage for a licensed vendor. Win said the Vermont 50 is going to be a BYOB event. Matt said he thinks athletic events like the Gnar Weasel are low-risk. Peter said BYOB is considered "open container," which is illegal in the State of Vermont. Peter suggested that the Town consider the number of people and the type of event. Win noted that the Town doesn't regulate events with fewer than 100 people. Win noted that the Police Chief feels it is prudent to have police coverage at events where alcohol is served because if something gets out of hand, it gets out of hand very quickly. Win added that he is willing to talk with the Chief again. Steve said when Ascutney Outdoors hosted Brownstock, they had to have two officers for six to eight hours, whereas Ragnar is only required to have one officer for four to six hours and there are more than 1,600 people at that event. Steve said he is wondering what criteria are being used to determine the number of officers and the amount of time. Steve said he is also wondering if AO should reach out to the police, rather than having the event sponsor reach out to the police. Win acknowledged the mixed messages that Ben Bardwell received regarding the Gnar Weasel event. Win also said the Chief is not as concerned about BYOB events, where there's no open bar, which can lead to a higher volume of service. Acknowledging that it's the Chief's call, Steve said it would be nice if he could help us understand the criteria. Matt asked if it is the Chief's call. Win said he's West Windsor's contracted law enforcement officer. Win said the Chief is willing to talk with each sponsor about each event. Matt said he doesn't think police coverage should be required for an event with fewer than 300 people. Natalie said it sounds like there's an issue with consistency and the number of people and the type of event. Win said he doesn't think it's necessary to have police coverage for the first hour or two when alcohol is being served. Peter said he would hate for any ruling to be a deterrent for events to come to the mountain. For BYOB events with up to 300 people, Peter said it only takes one DUI or accident to shut the whole thing down. Peter said he thinks vendors and event sponsors want to see clear guidelines based on the type of event, the

number of people, and the length of time that alcohol is being served. Win said whether there are 200 people present, or 500 people present, there's the same possibility that someone might have a few too many and get in their car. Peter said if his business is serving alcohol, the liability is on him. Win asked Peter what the size of the event has to do with it. Peter said the size determines how long the police are present, if they are present at all. Peter said he doesn't think a 300-person event like Gnar Weasel, where there is a licensed vendor serving alcohol for a relatively short period of time, should warrant a police presence. Peter said according to their insurance company, the Butcher & Pantry could have the Town, as the owner of the property, on their insurance policy, which would protect the Town from any liability exposure. Martha said if Ben knew in advance that he needed police coverage, he could charge \$1 more per ticket to cover the cost. Win said he thinks we're talking about sensitivity to the nature of the event. Martha said it might be better if it was more clear to event sponsors whether or not they were going to need police coverage. Matt said if you're going to have evening activities, you're probably going to need police. Steve offered to come up with a matrix to present to the Chief. Win accepted Steve's offer. Win noted that he understands why Ben is upset. Shelly asked if the town would cover a portion of the cost of the police coverage for Ben's event. Win was concerned about setting a precedent. Steve said he would be happy to attend the next meeting with the Chief.

- 7) Consider Scoping Study proposal for accessible path between school & AO Center – Deb noted the bicycle-pedestrian study that was done a few years ago and said the Planning Commission is proposing that the town apply for a grant for a scoping study for an accessible and “stroller friendly” trail from the bridge to the AO Center. Win said he and Jim Lyall got permission from Leslie Levesque to improve the trail from the steps by the Hotel down to the bridge. Win asked how much the study would cost. Deb said it could cost up to \$25,000, but it would create a “shovel ready” project. Win said he doesn't know how that path could be made accessible; he and Jim were just thinking about making it more inviting and clearable with a snow-blower so Hotel guests can go to the store for breakfast. Win asked Deb what the Planning Commission would like the Selectboard to do. Deb said in order to apply for a grant, which has an 80:20 match requirement, they would need a letter of support from the Selectboard. Win said he would need much more information before he would be willing to provide a letter of support. Matt said it's a great idea but suggested waiting a year.
- 8) Highway Foreman's report – Mike said tomorrow is the last day of the tree cutting class and noted that no trees are being cut in the Town Forest. Mike described some of the things they are learning and said he hopes the town's insurance company will look on it favorably because it is improving the safety of the most hazardous job in the world. Mike said David Jaacks appreciated the Fire Department being invited to participate in the class. Mike said the Town will pay the bill and get reimbursed by the people who attended. Thursday: Mike said we got 2” to 3” of rain last Thursday. The area that received the most damage was the road to pump station #1, which was washed out 3’ to 4’ deep. Mike said he's going to redesign that road and put in an 18” culvert and a stone-lined ditch, and he thinks the sewer department should pay for it. Win agreed. Martha noted that FEMA might cover the cost if a disaster is declared. Mike said he told Otis that he estimated a total of \$2,500 in damage. Matt noted that the improvements to Coon Club Road held up well. Better Roads: Mike said they're scheduling the Better Roads projects for the third week in July. Martha said we haven't signed the grant agreements yet. Equipment: Win asked about the new truck. Mike said it hasn't come back yet. Mike noted that the tractor is fine. Barton Road: Win said, regarding the proposed repair to Barton Road, the snowmobile club was going to contribute “sweat equity” and they are now being asked to contribute cash, which they don't have. Mike said

the snowmobile club wanted to put culverts in, and that was not the plan. Mike said the Conservation Commission, GMHA and the snowmobile club were all going to contribute to the project. After discussion, it was agreed that there must have been a misunderstanding about the nature of each group's contribution. Win asked Mike to revisit the issue with the parties involved. Mike agreed and added that the town would do the work as inexpensively as possible. Speed cart: Matt asked about the speed cart. Mike said it's supposed to be going out on Rush Meadow but it's currently in the highway garage. Brett suggested that West Windsor get its own speed cart. Win said we may end up doing that, but it's a complicated machine and it takes time to learn how to program it. Win said since we just got the cart, let's give it some time and try to work out the issues.

- 9) Water & Sewer Utilities – Renew Agreement for Services with P2 Environmental: **Brett moved to renew West Windsor's contract with P2 Environmental to be the Operator for our water system. Matt seconded the motion, which passed unanimously.**
- 10) Town Hall improvements – Windows & doors: Matt said he will pursue the project this week. Gardens: Tom said he doesn't have all the bills yet but thinks it's going to be a little over the \$1,000 discussed. Win said we want to save as much money as we can for windows and doors so he doesn't want to spend much more on exterior work.
- 11) Zoning computer, back-up & office needs – Win asked if there's ever been discussion about Deb using the middle office when she's here. Deb said she's usually here on Tuesday and Thursday mornings. Deb said she doesn't think the computer in the middle office has the Microsoft suite of programs. Cathy said she uses that computer for sewer and water. Win said Cathy will be able to use her other computer once NEMRC is in the cloud. Matt suggested trying out an office/computer sharing arrangement to see how it works. Win said Cathy would have to have priority when she's doing her water and sewer work but suggested that Deb coordinate with Cathy.
- 12) Sheddsville Cemetery – Tom said he got a complaint that people were driving on graves so he asked Dwight to put up stakes and a chain and that seems to have curtailed the problem. Tom asked Mike if he could use the material from ditching on Cemetery Road to expand the access road at the east end of the cemetery so trucks can make it around the corner. In the long run, Tom suggested a stone wall. Win suggested a split rail fence. Tom said he priced a stone wall at \$12,000 and suggested letting the voters decide. Win said he has no problem putting an article on the warning for Town Meeting but Tom will have to explain why the more expensive solution is better. Mike said the highway department can make it around that corner with a 10-wheeler with no problem, so it's a driver issue, not an issue with the width of the access road.
- 13) Other Business – July Fourth: Win said the Selectboard has been asked to ride in the parade in a convertible with "West Windsor Selectboard" on the doors. Tom said they would also like to have the deed transferring the Library to the Town signed on July Fourth, with all the Selectboard members and Library Trustees present.
- 14) Approve Minutes – **Brett moved to approve the minutes of June 10th & June 13th. Matt seconded the motion, which passed unanimously.**
- 15) Adjourn – **Brett moved to adjourn at 7:54 PM. Matt seconded the motion, which passed unanimously.**

Respectfully submitted,

Martha Harrison