

West Windsor Selectboard
Draft Minutes
June 9, 2015

Present: Dick Beatty, Tom Kenyon, Ted Siegler, Bruce & Cathy Boedtker, Jerry & Shirley Ouelette, Bill & Linda Ley, Don Burke, Cathy Archibald, Martha Harrison

1. Call to Order – Selectboard Chair Dick Beatty called the meeting to order at 6:30 PM.
2. Changes or additions to the agenda – new computer, TAC meeting, transportation capital budget, Phase I environmental report, bond vote, Glenn’s resignation as DRB alternate
3. Sign Town Clerk’s orders – **Tom moved to sign orders. Ted seconded the motion, which passed unanimously.**
4. Town Clerk/Treasurer’s Report – None
5. Announcements/Public Comment – Tom said the West Windsor Historical Society is about to put out a newsletter about the mills of Mill Brook. Tom noted a number of recent property sales and renovations. Mountain property purchase: Bruce asked for an update on the purchase, the formation of a non-profit, and the status of the conservation easement. Dick noted that the Trust for Public Land (TPL) did not get the Community Forest grant they requested so they are considering alternate funding sources for the purchase of the mountain property. Ted said TPL may be able to switch some funding from another project to our project. Regarding the conservation easement, Ted said the town and UVLT were satisfied with the draft but the VT Housing and Conservation Board wanted some of the language in the easement moved into the management plan. Ted said he hopes the Selectboard will be able to review the easement soon. Ted said the Selectboard is not going to sign a purchase and sales agreement with TPL until they’re comfortable with the conservation easement. Bruce asked Ted if he is going to recuse himself from voting on the easement. Ted said he doesn’t see a conflict of interest but would recuse himself if the other Selectboard members asked him to. Ted said he thinks the town’s interests are well-protected in the easement. Bruce asked if the funding issues will jeopardize the sale of the mountain property. Ted said Kate has asked Dan Purjes for an extension on the closing date. Ted said he thinks TPL is fairly committed to this project. Dick said the town is assuming that the project is going forward and acting accordingly.
6. Fourth of July: Cathy Boedtker – Cathy Boedtker had Agency of Transportation (AOT) and fireworks permits that needed to be signed. **Tom moved to authorize the Chair to sign the permits on behalf of the Selectboard. Ted seconded the motion, which passed unanimously.** Cathy said the fireworks will be on July 3rd, with July 6th as a rain date. Cathy asked if the town will cover the costs of police coverage and traffic control for the event, as they have in the past. One officer will be needed on the 3rd and two will be needed on the 4th. The Selectboard agreed to cover those costs. Cathy asked if there are any issues with using MFW’s property for the event. Dick said it’s the town’s understanding that we have permission to use the property. Cathy said she is exploring alternatives in case of a last minute change. For electricity, Cathy said, the Committee is planning to run a long extension cord from the Windsor Building but they need to check to make sure the building has 220 volt power. Cathy noted that Dennis Lemire also has a generator but that would not work well for music. Cathy asked if, as an alternative, the committee could investigate getting temporary power from one of the poles. Ted said the

town does not have a lease for the property yet so the committee should probably not pursue that option at this point. Cathy said the committee would also like to have a central storage location for all the equipment and supplies associated with the event. Bill Ley suggested that the Library might be a good storage place. Tom asked Cathy to make a list of the items the committee would like to store in the Library.

7. Application for Public Assembly: Brehm – Martha said the application is for a wedding on July 25. Parking will be at the school with a shuttle to transport people to the site. **Tom moved to approve the application. Ted seconded the motion.** Bruce asked who is going to operate the shuttle and noted that there is no room for parking on Coaching Lane or Coaching Lane Extension. Bruce suggested a professional shuttle service. **Tom amended his motion to approve the application contingent on the applicant using a professional shuttle service. Ted seconded the amended motion, which passed unanimously.**
8. Highway Foreman's Report – Dick said he talked with Mike Spackman today and Mike noted the following: the body is being put on the new truck, the old truck has gone to Patriot and the insurance on it has been cancelled; mowing will start soon; culvert and ditch work will start next week; there is a possible illegal access on Rush Meadow Road, which he will look into; Mike was approached by EC Fiber about burying some cable on Banister Road but he advised them against that. There was discussion about the location of the new poles. Tom, Mike and Martha will meet with a representative from EC Fiber next Tuesday to review pole location and tree trimming plans.
9. Consider signing MOU re: Deer Run Road – Dick said Matt would like the Selectboard to review the draft and get back to him with any changes. Ted said he doesn't think the town can agree to #10, which requires the town to install a new water line, etc. Ted said we can't agree to that until we have a bond vote. Dick suggested making #10 subject to voter approval. Ted and Tom agreed. Dick said he will ask Matt to make that change.
10. Consider draft Contract of Sale between TPL and the Town – Ted said we can't sign this contract until the conservation easement is approved. Dick asked Ted and Tom if they have reviewed the document. Ted and Tom said no. Ted said the goal would be to have the Conservation Commission and the Town Forest Committee to review the conservation easement and then make a recommendation to the Selectboard. Dick suggested including the contract on the same agenda as the conservation easement. Ted and Tom agreed. **Ted moved to table consider of the contract. Tom seconded the motion, which passed unanimously.**
11. Consider signing Act 250 Administrative Amendment application for subdivision of mountain property – Tom moved to authorize the chair to sign the application dated 6/9/15 on behalf of the Selectboard. Ted seconded the motion, which passed unanimously.
12. Consider signing local subdivision application for mountain property – Ted moved to authorize the chair to sign the application, dated 6/9/15. Tom seconded the motion, which passed unanimously.
13. Tax exempt status of leased property – Martha said the town got an opinion from Paul Giuliani last fall that it was possible the town could lease the mountain property and be exempt from property taxes, but the Tax Department is saying no. Martha said she thinks the amount is a little less than \$10,000. Ted said the town does not own the property. Martha said once we own it, we don't have to pay property taxes, but under lease, we do. Tom asked if the lease assigns the taxes to the Lessor or the Lessee. Martha said the

lessee pays. Ted asked Martha to clarify with Paul the circumstances under which the town has to pay taxes on the property. Tom noted that the taxes are not due until December. Tom added that the town underestimated current use revenue so, even if we have to pay the taxes, it won't shoot a hole in the budget.

14. Consider signing lease for use of MFW property for summer events – Dick said we don't have a draft lease yet. Martha noted that the first event is June 20. The Selectboard agreed to table this item until their next meeting on Thursday, June 11th.
15. Approve expenditure of grant funds for costs associated with mountain property – Martha said the town got a \$10,000 grant for this project from the Davis Foundation. Martha asked the Selectboard to approve the payment of an invoice from LEE Environmental in the amount of \$3,950 for the Phase I assessment of the property and an invoice from Bob Farnsworth in the amount of \$1,640 for the survey. Martha noted that both expenses are in keeping with our proposal to the foundation. **Ted moved to approve the payment of the invoices. Tom seconded the motion, which passed unanimously.**
16. Discuss inclusion of Hotel Road in Phase I environmental assessment – Ted said, after talking with Alan Liptak, he is comfortable not including Hotel Road. Tom and Dick agreed.
17. Discuss possible solar array near resort entrance – Dick noted the size of the array would be 1 ½ to 2 acres to the right of the resort entrance. Martha said it would be a 500 kW facility. Ted said he thinks it's a great idea. Tom said the town doesn't have much say in the matter. Ted agreed. Dick said the legislature recently enacted some setbacks. Ted said the town has party status but, other than that, we don't have much say. Tom said his only concern is that it doesn't reflect into someone's window. Ted said arrays typically face southwest.
18. Status of water system acquisition – Dick said the PSB is trying to schedule a pre-hearing conference. Ted said the critical action at this point is to get the tanks evaluated.
19. Unmetered sewer rate for FY 2016 – Martha said the rate went down by 1% to \$539.67, primarily due to the correction in the number of users; more users, lower rates. Martha said the Utility Advisory Committee is meeting again on June 15th but the Windsor Selectboard is meeting tonight and will probably approve the rates. Computer request: Cathy said she needs a new computer and software for the sewer and water system. Cathy said Staples has provided an estimate of \$680. Cathy said she also needs a new monitor, which she can probably get for approximately \$100. **Tom moved to approve \$680 for the computer and \$200 for the monitor. Ted seconded the motion, which passed unanimously.**
20. EC Fiber Interlocal Contract – Ted said he talked to Dave Halpert and FairPoint is refusing to do the "make ready" on the poles and meanwhile they're stringing fiber themselves, which they claim is backhaul for their DSL lines. Ted said, so far, the PSB has not held FairPoint accountable. Ted said we should sign the contract after we resolve the issue of ownership of the hardware. Tom asked when we should get the loan from the bank. Dick said we'll get the loan after we sign the contract. Dick said, according to Matt, Paul Giuliani is revising the contract to address the ownership issue.
21. Hazard Mitigation planning grant – Martha said the regional planning commission applied for this grant on the town's behalf. There is a 25% match, which is around \$3,000 but the RPC is going to do all the work. The grant is for a town-specific hazard mitigation plan. Martha said she needs to fill out a survey and then the state will send a sub-grant agreement.

22. Review offer package for Hazard Mitigation buyout – Martha said the property owner is fine with the appraisal so, if the Selectboard is okay with the offer package, we should schedule a meeting with the property owner to get the documents signed. Ted asked about the disposal of the mobile home. Martha said Miller is going to remove it with a crane.
23. Consider approving proposal for additional phone – Martha said Preston has Verizon so he can't use his cell phone here. Martha said the phone can be set up to allow her and Preston to share the same phone number. **Ted moved to approve the proposal for a phone for the new Zoning Administrator. Tom seconded the motion, which passed unanimously. Tom moved to authorize the Chair to sign on behalf of the Selectboard. Ted seconded the motion, which passed unanimously.**
24. Nilson property update – Dick said we have a contract with a sales price of \$5,000, with up to \$500 towards the seller's closing costs, and it looks like the closing will be on July 15th. **Tom moved to authorize the chair to sign the contract on behalf of the town. Ted seconded the motion, which passed unanimously.**
25. Sheddsville Cemetery lilacs – Tom recommended raising money through donations for French lilacs along the right-of-way to the property in the back. **Dick moved to approve Tom's recommendation. Ted seconded the motion, which passed unanimously.**
26. Sump Pump Drainage problem – Tom said the school has asked that the work be done in the summer. Tom said he will get a price but no action is required at this time.
27. Town Hall Update – Tom said we need to take safety issues seriously. Tom said the height of the railing will be raised to meet code.
28. Tree Warden Update – Tom said there are 24 or 25 trees that need to come down so he'd like to negotiate a price with Ted Knox but no action is required at this time.
29. Other Business – TAC meeting: Tom and Dick will attend the meeting on June 24th at 6:00 PM at the highway garage. Dick noted that paving Route 44 will be on the agenda. There was discussion about the poor condition of Route 44. Capital plan: Martha said the regional planning commission has funding to prepare a transportation capital plan for one town, at no cost to the town, other than participation in meetings. Ted questioned the need for it. Tom said another town might need it more than we do. Phase I Report: Martha noted that the town recently received a copy of the report. Bond vote: Ted said we need to have the tanks inspected before we can move forward with warning a bond vote. Martha said the town has given Dana Arey the go ahead to do the inspection so he should be doing it soon. Ted said he thinks the town also needs an agreement with Orange Lake that they will pay off their share of the bond issue if they shut down operations. Martha said she asked Joe Duncan if he has any sample agreements with a major water user and he does not.
30. Approve Minutes – May 28: **Tom moved to approve the minutes of May 28th. Ted seconded the motion, which passed unanimously.**
31. Adjourn – **Ted moved to adjourn at 8:00 PM. Tom seconded the motion, which passed unanimously.**

Respectfully submitted,

Martha Harrison