

West Windsor Selectboard
Draft Minutes
March 14, 2016

Present: Dick Beatty, Tom Kenyon, Win Johnson, Mike Spackman, Martha Harrison, Gary Shapiro, Cathy Boedtke, Aaron Gonthier (Windsor on Air)

1. Call to Order – Selectboard Chair Dick Beatty called the meeting to order at 6:30 PM.
2. Changes or additions to the agenda – move Town Clerk’s orders to end of agenda; Mill Brook dam behind fire house; Tree Warden’s report; Hale property; master water meter; paving; Town Hall clock; Rules of Procedure; Conflict of Interest policy; accidents on Route 44 & Shattuck Hill; schedule annual meeting with Agency of Transportation (AOT). The Selectboard agreed to meet with AOT on March 21 at 9:00 AM at the Town Hall. The other items were considered later in the meeting.
3. Announcements/Public Comment – July Fourth Committee: Cathy Boedtke said the committee is now operating under the umbrella of the West Windsor Fire Department and asked if they need a public assembly permit for the festivities. The Selectboard asked Cathy to fill out the application but waived the fee. Win suggested that the Selectboard consider allowing simpler permits to be approved administratively. Internet service: Gary Shapiro said internet service has been a continuous problem at his house on Hammond Hill Road. Win suggested that Gary consider signing up for service from EC Fiber. Service is not available right now, but EC Fiber is trying to decide where to expand their network next and they’re going to base their decision on the percentage of subscribers who pre-register for service. Win suggested that Gary call Ken Parrot or Dave Halpert for more information. Ken and Dave are West Windsor’s representatives on the EC Fiber Board. Mike said the Town Garage was hooked up to EC Fiber last week. Interested subscribers should visit www.ecfiber.net/levelup Dick described the existing route in West Windsor, which does not currently include Hammond Hill Road. Other service providers include VTel and Wavecomm, which are not available in all locations. Historical Society: Tom said the Historical Society would like a photo in front of the Town Hall but he will discuss the idea with the Fourth of July Committee.
4. Sign Town Clerk’s orders – moved to end of meeting
5. Town Clerk/Treasurer’s Report - None
6. Highway Foreman’s report - Mower: The mower and hydraulics have been ordered. Coaching Lane/Route 44 intersection: Mike has a rough concept of what he’d like to do and a rough price of less than \$20,000, which would include the Bowers Road portion. The town will apply for grant funds for this project, which will improve sight distance, safety and drainage. Mike said the project would probably be done in August. Sand & gravel bids and contractor bids: Letters requesting prices on materials and equipment have gone out. Culverts: Mike said in the future we’ll be getting culverts from Ferguson’s in West Lebanon, NH. Mud season: We had a taste of mud season last week, especially on Coon Club and Bryant Roads. Gravel: The Highway Department has been hauling gravel for the last few weeks. New Hire: Mike would like to start the hiring process fairly soon to replace Gary Austin, who is retiring in early August. There was discussion about whether the Highway Department should have three employees or four. Mike feels strongly that four employees are needed. **Dick moved to authorize Mike to start advertising the position when he sees fit. Tom seconded the motion, which passed unanimously.** Accidents: Win asked Mike if there’s a dangerous condition at the intersection of Route 44 and Shattuck Hill, where the

most recent police report indicated that there were two accidents. Mike said there is a dangerous condition there but neither of the accidents occurred in that location. Tom said that intersection is on the agenda for the state to fix when they have funds. Paving: Mike said Chris Bump informed the town that we're fifth in line for paving funds this year. If we do get funds, we'll pave as much as possible on the Brownsville-Hartland Road, starting south of the new culvert. Mike said he would also like to use some of the town's paving funds on Hotel Road. Dam on Mill Brook: Tom said West Windsor has a good chance of getting a grant to remove the dam behind the fire station and another grant to bury a tank with a pipe connected to the pump house. Mike said he'd like to have a hydrant that the fire department could use to feed a 4" pipe within the existing pipe under the bridge to a stand pipe on Hotel Road. Mike said the Fire Department does not want the existing pumps in Snow Storm I because they are too difficult to maintain and too expensive to run. General Permit: Win said he and Dick learned about the new municipal road general permit at the Selectboard Institute on Saturday and he brought back some information for Mike and Martha. Win noted that there will be grants available in the first few years to help towns comply with the permit requirements.

7. Sign Certificate of Compliance for Codes & Standards – Mike said the form certifies that the town is still in compliance with the codes and standards required by the state for highway and bridge maintenance. Mike recommended signing the certificate; not signing it would result in the town losing 10% of its grant funding. **Tom moved to sign the Certificate. Win seconded the motion, which passed unanimously.**
8. Consider reclassification of Hotel Road & Coaching Lane Extension as Class 3 public highways – Dick noted that the Selectboard held a hearing on February 22 and has 60 days to file a decision. Win suggested deciding on the two roads separately since the situation for each is different. With Coaching Lane Extension, the town was asked to take it over by the property owners and agreed to do so as long as the property owners pay to bring the road up to standard. Mike said about half the required work has been done because he didn't think it was fair to the taxpayers for the town to do all the work up front and then be reimbursed over ten years. The rest of the work will be done over the next couple of years. Dick said Hotel Road is different because the town already owns it. **Win moved to classify Coaching Lane Extension as a Class 3 public highway. Tom seconded the motion.** Dick said he doesn't mind bifurcating the decision but would like to include both roads in the same decision when it is written up and filed. **Win amended his motion to announce the decision at the same time as the deliberative process on both roads is closed. The amendment was accepted and the amended motion passed unanimously.** Win asked if it's going to cost a lot of money to bring Hotel Road up to standard. Mike said yes. Win asked if anyone has offered to help. Martha said the town has not asked the abutters for help yet. Win suggested that the town explore cost-sharing options. Dick disclosed that he owns property on Hotel Road although he doesn't have any frontage on the road. Mike said repairs to the road would cost about \$100,000 but it could be spread out over time. Mike noted that there's a sewer line in Hotel Road that's causing a bump in the road either because the road has settled or the pipe has heaved up. Win asked if classification and repairs are two separate issues. Mike said we have to classify it and we can't classify it as "Class 2." Martha said if we set up a cost-sharing structure to renew the expired stormwater permit at the resort maybe we could include cost-sharing for the maintenance of Hotel Road. Mike said we can't reclassify Hotel Road as anything other than Class 3. Dick read a portion of the statute on road reclassification. Mike said Hotel Road and Coaching Lane Extension were both private roads but Hotel Road was taken over following a town vote and Coaching

Lane Extension was taken over after the Selectboard was petitioned by the property owners. Dick said the statute allows the town to require the petitioners to pay the cost of upgrading the road. Dick asked if there is a survey on file for Coaching Lane Extension. Martha said yes. Dick said he's happy to postpone the decision on Hotel Road if we need more information. Win said he doesn't think we need more information but he thinks we should explore options for funding the improvements, including funding that may become available in connection with the new municipal road general permit. **Tom moved to table the decision on reclassifying Hotel Road until the Selectboard's April 11th meeting. Win seconded the motion, which passed unanimously.**

9. Award contract for removal of Underground Storage Tank – Dick noted that we have three estimates - \$12,470 from Calkins Excavating; \$18,250 from Daly Environmental; and \$19,525 from Harper Environmental. Tom asked if the contractor is responsible for doing the monitoring required by the state. Martha said yes. Win asked if we've checked references. Martha said she has references for Calkins and Harper but she has not called them. Win said he'd be uncomfortable awarding a contract without checking references. Win said he would be satisfied with the low bid if the references are positive. The Selectboard agreed to table this decision until their March 21st meeting.
10. Review revised Lease Agreement with Mt. Ascutney Outdoors – Win said he met with Chris Callahan today and he discussed the lease with the Vermont League of Cities and Towns (VLCT). Win said VLCT suggested adding some language regarding property insurance requirements. Win said he will send the most recent minor changes to Matt Birmingham for review. Win said Chris has agreed to work out the final wording with Matt. Mike asked about the use of the maintenance building. Win said that property is not included in the lease agreement and will have to be separately negotiated.
11. Review Unsafe Buildings Ordinance – Win said he will touch base with Matt Birmingham on this, as well as the water system MOU with Mountainside.
12. Water system update – Dick said there's a problem with the meter. Martha said our operator, P2 Environmental, is going to get a plumber to look at it and see if it can be repaired or if it needs to be replaced. Win said we need to get a list of allocations. Martha said she has emailed both P2 and A+E and will forward P2's unitized flow study to Win. Win asked if the allocations are registered with the state. Martha said she will check with Michelle Carbonneau. There was discussion about the fact that there is not much unallocated water capacity and therefore there can't be much, if any, new development in the resort area. If there can't be new development, Tom said, there won't be much need for additional sewer service either. Dick noted that Windsor has reluctantly agreed to put in a generator at Pump Station #2 but that has nothing to do with the water system. Win noted the capacity evaluation letter received from Allison Murphy dated November 3, which outlines actions the town is required to take once it owns the water system. Win noted specifically the requirement that the town develop a full set of financial statements for the water system and an asset management program. Martha noted that there are grant funds available for a long-range asset management plan but our engineers are not sure if the timing will work for us. Win noted that he had a visit from the Chair of the Utility Advisory Committee, John Bossen, and he thinks there's a misunderstanding about the membership of the committee, as well as the sewer ordinance. Regarding committee membership, Dick said it's his understanding that the various user groups nominate someone to represent them on the committee but it's up to the Selectboard to approve the nomination. Win said that's not John's understanding. Dick said the procedure is outlined in the ordinance. Win said apparently the Selectboard has approved additional committee members but has not

- amended the ordinance to reflect that, which adds to the confusion. Dick noted that the town does not have a water system ordinance yet.
13. Resort area stormwater system – Martha said she found out last week that the resort’s most recent stormwater permit expired in 2010 and the state would like the town and the other property owners involved to renew the permit. Martha said the state is looking into it and will advise us on how to renew the permit given that there are now multiple owners.
 14. Sign So. Windsor/Windham Co. Solid Waste Mgmt. District appointment letter – Martha said the District would like the town to sign a letter indicating that Tom Kenyon is our representative. **Win moved to authorize Dick to sign the letter. Tom seconded the motion, which passed unanimously.**
 15. Discuss personnel policy – Win suggested asking VLCT to review the town’s draft policy. Martha said the Selectboard will still have to decide what constitutes “full-time,” whether the town wants to offer any parental or family leave, etc. Tom was concerned about the “at will” clause of the policy. Mike said that’s Vermont law. There was discussion about adding a notice requirement. Win suggested consulting with VLCT. The Selectboard agreed to schedule a special meeting on March 23rd at 9:00 AM to review the personnel policy.
 16. February Police Report – Martha said the report looks fairly typical except for the accidents.
 17. Other Business – Tree Warden’s update: Tom said they’ve been removing dead trees from the right-of-way for six days and have two more days scheduled. Hale property: Dick said Matt has made the requested changes to the deed. Tom noted that the town is required to inspect the property and report on it every three years. Tom suggested including it in the Town Report. Route 44 Paving: Tom said it’s not looking good even though Route 44 is the 20th worst road in the state. Water meter: Martha said Patricia is going to determine whether it needs to be repaired or replaced. The meter is in the treatment building and measures the gallons being distributed. Martha said she asked Patricia to check with A+E to see if they had planned to replace the meter with a specific type. Clock: Tom said he’s going over the cost estimate with the company. Rules of Procedure & Conflict of Interest policy: Win asked Martha to scan and distribute the model Rules and the model Conflict of Interest policy to the Selectboard. Dick said he would like to have all ordinances and policies in one place. Town Hall heating system: Tom said he has an estimate from Dead River but he thinks we’re going to have to go through the bid process. Win suggested considering a geothermal system. EC Fiber: There was discussion about the services that EC Fiber is going to provide to the town at no charge. Martha said she will check the contract.
 18. Approve Minutes - February 22 (morning), February 22 (evening) & February 28: **Tom moved to approve the minutes as written. Dick seconded the motion, which passed with Win abstaining. March 1: Win moved to approve the minutes of March 1. Tom seconded the motion, which passed unanimously.**
 19. Sign Town Clerk’s orders – **Tom moved to sign orders. Win seconded the motion, which passed unanimously.** Tom noted that there is one order about which he has questions but it’s okay to pay it.
 20. Adjourn – **Tom moved to adjourn at 8:47 PM. Win seconded the motion, which passed unanimously.**

Respectfully submitted,

Martha Harrison