

West Windsor Selectboard
Draft Minutes
May 29, 2018

Present: Brett Myers, Win Johnson, Matt Kantola, Mike Spackman, Tom Kenyon, Martha Harrison, Bill Young, Deb Shearer, Rudy Gross, Bruce Boedtke, Erik Boedtke, Al Keiller, Cathy Archibald, Bill Ley, Mike Dudley, Jim Lyall, Steve Carihfield

- 1) Call to Order – Selectboard Chair Win Johnson called the meeting to order at 6:30 PM.
- 2) Changes or additions to the agenda – regional energy plan, review financial statements
- 3) Announcements/Public Comment – Tom noted that the Library Trustees and the Librarian are having discussions about benefits. Win said the town is reviewing its personnel policy this week and whatever the Library Trustees decide will have to conform with town policy.
- 4) Town Clerk/Treasurer’s Report – The Selectboard reviewed the year-to-date financial statements and asked Cathy to provide detail on “Selectboard Expenses.”
- 5) Sign Town Clerk’s orders – **Brett moved to sign orders. Matt seconded the motion, which passed unanimously.**
- 6) Consider applying for Village Center Designation – Al said the Planning Commission met with Richard Amore last week to tour the village and discuss the benefits of village center designation, which include tax credits. After the presentation, the Planning Commission agreed to recommend to the Selectboard that the town apply for village center designation. Al said he has drafted an application letter to be signed by the Selectboard Chair if the Selectboard agrees that the town should move forward with this. Al noted that the timeline is tight but representatives of the Brownsville General Store were present for Richard Amore’s presentation and they are very interested in the tax credits available for renovating the store if the town is successful in obtaining a village center designation. Al noted a number of documents that have to be attached to the application letter, including the minutes of this meeting. Win noted that he attended Richard Amore’s presentation and it’s his understanding that village center designation itself doesn’t confer any benefits on the town, but it enables local businesses to apply for benefits, such as tax credits. Brett attended the presentation as well, and agreed that it’s a good opportunity for the town. **Brett moved to approve the application for village center designation and to authorize Win to sign the application letter. Matt seconded the motion, which passed unanimously.**
- 7) Appoint Planning Commission member – Al said Ray Shannis attended the Planning Commission meeting last week and expressed interest in filling the open seat, and the Planning Commission agreed to recommend that the Selectboard appoint him. **Matt moved to appoint Ray Shannis to the Planning Commission. Brett seconded the motion, which passed unanimously.**
- 8) Animal Control – Consider requesting community conflict assistance: Win said, given the push back at the last meeting, he tried to contact a community conflict assistance organization in Springfield to see about arranging a mediation but they have not responded. Win said he also sent a draft of the Poultry Ordinance to the owner of the geese and invited him to attend tonight’s meeting to discuss the issue, but he did not respond either. Win said if we can’t find any other resolution, we’ll have to proceed with adopting an ordinance, which does include a provision for mediation. Win suggested adopting the ordinance at the next meeting on June 11th. Matt agreed. Erik said there has been some positive action on the part

of the owner of the geese, probably as a result of the Selectboard's involvement but, due to the fact that he's working three jobs and is a member of the fire department, it would be hard for him to find time for mediation. Rudy said the geese have now ventured onto his property and he doesn't want them messing it up. Win asked Rudy and Erik to document the problem with photos. Erik encouraged the Selectboard to proceed with adopting the ordinance. Win said he has tried to find an alternative but he has been unsuccessful so he thinks the Selectboard should put the Poultry Ordinance back on its agenda. Matt suggested sending the owner of the geese a letter. Win said he has been up to see him twice and has emailed him but, once the ordinance is adopted, he thinks the Selectboard should send him a letter with the ordinance attached. Matt asked when the ordinance would be effective. Martha said it would be effective sixty days after it's adopted. Consider adopting Animal Control Ordinance: Win noted that the ordinance now includes a definition of "trespassing" and a provision for mediation, and excludes the provision about dogs defecating on private property. Martha suggested a time limit on the mediation option. The Selectboard agreed to specify that the mediation would have to be completed within ninety days. Bruce asked if the ordinance addresses dogs pooping on a neighbor's property. Win said the ordinance addresses dogs "running at large" and causing damage to property, both of which could be used to address that problem. **Brett moved to adopt the West Windsor Animal Control Ordinance, as amended this evening. Matt seconded the motion, which passed unanimously.**

- 9) Highway Foreman's report – Mike said the new one-ton has not been delivered yet but it's in Vermont having final body work done. Mike added that the highway crew hopes to have the hydro-seeder running tomorrow. Johnson easement: Mike asked Win about the emergency access easement through the Johnson property. Win said he is working on it; he talked with Glenn and Shelley Seward and they are amenable to having the easement continue through their property. There was discussion about other rights-of-way into Mile Long Field. Win assured Mike that the easement through the Johnson and Seward properties will get done. Culverts, ditching & roadside mowing: Mike said mowing will start next week. Coon Club project: Mike said they're still working on it. Final highway access approval, Dowd-Putman (Churchill Road): Mike said he's fine with the access. **Matt moved to grant final approval for the access. Brett seconded the motion, which passed unanimously.** Grants-in-Aid Letter of Intent: Mike asked about the amount of the grant. Martha said she'll get back to him on that. **Brett moved to sign a letter of intent to participate in the RPC/DEC municipal roads grants-in-aid program. Matt seconded the motion, which passed unanimously.** Sign Better Roads grant agreement for Blood Hill Road project: The grant agreement is not yet available. Consider revised cost estimate for Burke/Clay property feasibility study: Win said the Selectboard asked Engineering Ventures to assess the suitability of the Burke property as an alternate location for the sand pile and, possibly, the fire station. Win said when the town met with Engineering Ventures, Mike suggested assessing the Clay property, which is adjacent to the Town Garage, as well. Win said Engineering Ventures has estimated "up to \$2,000" for the additional assessment. There was brief discussion about the two properties. **Matt moved to revise the scope of work for Engineering Ventures to include an assessment of both properties for an additional cost not to exceed \$2,000. Brett seconded the motion, which passed unanimously.** Bible Hill culvert project update: Martha said the Town received a permit for the project from the Army Corps. Mike noted that we're still waiting for final plans from District 4 so we can go out to bid. Martha said we need final

plans for the easements as well. Route 44 repaving project update: Win asked if the Route 44 paving project is still scheduled for July. Martha said it's scheduled to start sometime between July and October. Matt said he wishes the state would at least fill the potholes because Route 44 is dangerous to drive on. Sidewalk cleaning: Bill Ley asked if there are any plans to clean the sidewalks in the village before July Fourth. Mike said the town has never cleaned the sidewalks but he can ask the state if they will do it.

- 10) Ascutney Outdoors – Back-Country Ski Slope Area: Win said the town met with the Upper Valley Land Trust and UVLT has no objection to the back-country ski slope area being included in the lease with Ascutney Outdoors (AO). Win had a map showing which trails in the back-country area can be maintained. Para-gliding: Win said before para-gliding can be allowed, it has to be included in the list of uses approved by UVLT. Win noted that UVLT is currently reviewing paragliding as a possible “allowed use” and will inform the town if they have any objections. Win said it's his understanding that, if paragliding is approved, there will be no structures and no tree cutting. Consider approving amended Lease Agreement with Ascutney Outdoors: Win summarized the changes to the lease and recommended that the Selectboard approve it and authorize him to sign it. **Brett moved to approve the Lease and authorize Win to sign it. Matt seconded the motion, which passed unanimously.** Consider approving amended Facility Use Policy: Win noted one additional change to the draft that was made today. **Brett moved to adopt the revised Facility Use Policy. Matt seconded the motion, which passed unanimously.**
- 11) Gnar Weasel Race – Event application by Ben Bardwell for mountain bike race from noon on July 6th until 6:00 PM on July 7th at the Ski Tow Road parking lot & bike trails: Win said in the future, Ascutney Outdoors will have to be a co-sponsor for events taking place on the mountain, in which case there will be no need for a Facility Use Agreement. Win asked if this race is co-sponsored by AO. Jim said he believes that it is. Matt said he talked with Ben Bardwell and, according to Ben, Glenn Seward is in the loop. Win noted that they do intend to use the parking lot for camping the night before the event, but it's clear that the town does not allow camp fires. Win asked if there will be an alcohol vendor during the event. Martha said they plan to allow BYOB but not in the parking lot area. Steve said he thought BYOB was only allowed on AO property. Win said no; it's allowed on town property if it's an AO-sponsored event. Steve said once the AO property is finished, AO would allow BYOB on its own property and AO's insurance would cover that. Win said if AO is sponsoring the event, AO would be assuming the liability, whether it's on AO property or town property. Win asked what the Gnar Weasel application says. Martha said Ben wrote “N/A” for the alcohol question. Steve noted an effort to standardize the event application form for use by both AO and the Town and asked Martha where that stands. Martha said she sent a draft of the revised form to Marty Hunt, who thought it looked good but was planning to run it by others at AO. Steve agreed that AO needs to review it and would like to make it available online. Win said, according to the revised Lease and Facility Use Policy, whenever there's an event on the mountain it has to be sponsored or co-sponsored by AO. Mike asked what the Gnar Weasel application says about the fire department because no one has contacted him. Martha said she specifically told Ben to contact Mike. Win suggested deferring consideration of the application until the next meeting. Steve said Martha is communicating with applicants on behalf of the town but asked who is communicating with them on behalf of AO or STAB. Martha said right now, AO has its own application form. Steve agreed that the town and AO need to have a joint application. Win suggested waiting until June 11th to approve the Gnar

Weasel application, both to obtain clarification on some of the questions and so AO can decide whether or not they are willing to co-sponsor the event. Steve said he's hearing Win say that the Town wants AO to take responsibility. Given that, Steve asked to what extent AO needs to get the town's input if there's an area where AO and the town disagree on what needs to be done. Win said, with AO's input as co-sponsor, by the time the application gets to the town, all the questions would be adequately answered. Steve noted that last year the Windsor Police Department required AO to have two police officers on duty during the Brownstock event, which cut into AO's profit. Martha said she thinks the town should ask the Windsor Police Chief for clarification on when a police presence should be required. Martha noted that the Chief is coming to the June 11th meeting to discuss the Law Enforcement contract with the Selectboard. Win again suggested deferring consideration of the Gnar Weasel event and facility use applications. Brett and Matt agreed. Tom said, for the safety of those using the parking lot for camping, the town had Rice Tree Service remove any trees that could endanger the campers.

- 12) AT&T cell service issues – Martha said she has received eight complaints about AT&T's cell service no longer working in the Brownsville area, which she has relayed to AT&T. Martha said they have assured her that they are working on the problem and agreed to get back to her with more details on what the problem is and how they're going to address it. Win said when AT&T asked the Town to endorse their application to move their facility to the tower on the mountain, we gave our endorsement based on their assurances that it would improve cell service in town. Martha said she has emphasized the emergency services aspect of the problem since there are people who no longer have land lines and can't call 911. Mike said AT&T is telling customers that their phones are too old and they have to buy new phones. Martha said that is one of the problems that AT&T has identified - the tower on the mountain only provides the latest technology (4G/LTE) – but she told them that she has been getting complaints from people whose phones are compatible with the latest technology. Martha said she asked them to determine whether Brownsville is in a “shadow.” Bill Ley said he has an LTE-compatible phone and he gets 4 bars but no service. Bill said the two questions he's hearing from people are: If there is going to be a resolution, what's the timing? And is it something the town's going to have to approve (e.g. a new tower)? Martha said the town doesn't have jurisdiction over cell towers; the Public Service Board has jurisdiction. Bill said if it needs PSB approval, that sounds like a long delay. Martha said if they just have to tweak something on the tower, she doesn't think there would be a long delay. Bill said he spoke with someone in AT&T's tech department today who said he thinks they're going to have to put up another tower. Martha said she hasn't heard that. Win suggested keeping this item on the agenda until the problems are resolved. Bill said it has been suggested to him that customers use the “mark the spot” app to indicate areas where they're not getting service.
- 13) Water system update – Win said we had a meeting with A+E this afternoon on the asset management project. Win said there are some near term issues that need to be addressed including replacing the two lines that go under the Ski Bridge, upgrading the well house and installing a generator for the well pump. Win said the plan is to address these issues within a two or three-year period, subject to a bond vote. The estimated project cost is \$640,000 and A+E is looking at the capacity of the water system to carry that expense. Matt asked if the debt will be repaid by the water users. Win said yes.
- 14) Sewer system update – Win said the POA has submitted some comments on the draft sewer ordinance, which the town will take into consideration. Win said we've also heard that the

Mts. Edge Condo Association is looking into our request for a sewer easement across their property. Martha said she's been working on allocation application forms and related fees.

15) Other Business – Regional Energy Plan: Tom said the solar farm that was planned for south of Ascutney has been scaled down. Tom said he doesn't think we want wind power in our area; he thinks we should have solar panels on new buildings. Win said he will forward the energy plan to Brett and Matt.

16) Approve Minutes: **Matt moved to approve the minutes of May 14th. Brett seconded the motion, which passed unanimously.**

17) Adjourn – **Brett moved to adjourn at 8:00 PM. Matt seconded the motion, which passed unanimously.**

Respectfully submitted,

Martha Harrison