

WEST WINDSOR SELECTBOARD

Draft Minutes

November 12, 2012

Present: Glenn Seward, Tom Kenyon, Bruce Boedtke, Cathy Archibald (Town Clerk), George Calver (VT Standard), Mike Spackman (Highway Foreman), Jim Lyall (Trail Maintenance), Cathy Boedtke (Town Forest Committee), Mark Isenberg (Planning Commission), Martha Harrison

- 1) Call to Order – Selectboard Chair Glenn Seward called the meeting to order at 6:30 PM.
- 2) Changes or additions to the agenda – Library, Grange Hall, FEMA seminar
- 3) Sign Town Clerk's Orders – **Tom moved to sign the Town Clerk's orders. Glenn seconded the motion, which passed unanimously.**
- 4) Town Clerk/Treasurer's Report – Cathy had a cemetery deed for the Selectboard to approve. **Glenn moved to sign the cemetery deed. Bruce seconded the motion, which passed unanimously.**
- 5) Audit discussion – Glenn said because we have been reimbursed more than \$500,000 by FEMA for Irene expenses, we will be required to conduct a formal audit so Cathy will contact John Mudgett for cost and schedule information. Martha said the audit has to comply with OMB circular A-133. Cathy said she contacted John and he can do it in early January for \$7,000 to \$10,000.
- 6) Public Comment – **Fireworks contract:** Cathy Boedtke had an initial fireworks contract for the Selectboard to sign. Cathy said the fireworks will be on July 3rd. Cathy said the company issued a credit to compensate the town for the problems that occurred with the 2012 fireworks display. The credit will reduce the cost for 2013 from \$6,500 to \$4,875. **Glenn moved to sign the contract with Atlas Pyrovision Productions, Inc. for \$4,875 for the 2013 fireworks display. Bruce seconded the motion, which passed unanimously. Tom moved to authorize the chair to sign on behalf of the Selectboard. Bruce seconded the motion, which passed unanimously.** Police coverage: Mark inquired about whether there is any documentation of the amount of time the police spend in West Windsor. Glenn said the agreement is that they will spend 12 to 15 hours per week in West Windsor and we assume that we are getting the coverage that we are paying for. Glenn said he is sure there is documentation. Glenn noted that there will be a six-month review in December. Economic Development: Mark spoke about his concern about the future of the town, the lack of traffic coming into town, and the decline in community activities (e.g. roast beef suppers). Mark spoke about all the general stores in the area that are having a hard time. Mark said opportunities evaporate and he would like to see some action to stimulate activity in the town. Mark specifically mentioned the establishment of a Recreation Director position and the promotion of the recreational trails. Glenn asked Mark for some suggestions. Mark suggested an advertising campaign and contact with the Vermont Department of Tourism. Glenn said he is nervous about promotion given the uncertainty surrounding the resort. Glenn said the town's right to use the property can be terminated with 30 days notice. Glenn said he agrees that we need to do some promotion but he wants to make sure the "product" is appropriate before selling it. Mark suggested an incremental approach. Glenn said he would like the town to have a secure long-term lease for the beginner trails on resort property. Tom said the Selectboard has been working hard to get the sewer situation straightened out. Mark was concerned about the marketability of the resort if we have another snowless winter. Bruce said for a limited budget the town could promote the trails for winter use. Glenn agreed but said he is concerned that if the trails are not maintained properly people will come here once and then not come back. Mark said he would be glad to look into some economical forms of promotion. Cathy Boedtke spoke about her involvement with the Connecticut River Byways program. Cathy added that the VT Department of Tourism is producing a map that will highlight points of interest within West Windsor at no cost. Mark agreed to come up with a marketing budget and plan.
- 7) Highway Access: Larkins (Cemetery Road) – Mike said he has not looked at it. Martha noted that Mr. Larkins said he had discussed it with Mike. Mike said he has not talked to Mr. Larkins. Tom said the culvert size is not indicated and the sight distances should not be north/south. Glenn said we should

notify Mr. Larkins that he needs to contact the Highway Foreman and correct the application. **Tom moved to table consideration of the application. Bruce seconded the motion, which passed unanimously.**

- 8) Highway Foreman's Report – Underground Storage Tank (UST): Mike said he passed the UST Operator exam. Mike added that we need to create a form to document fuel consumption. Tom asked about the long-term fix. Mike said eventually we'll have to get a new tank with an up-to-date monitoring system. Better Backroads: Mike said the final report was sent in and we're just waiting for reimbursement. Codes & standards committee: Mike said he has been asked to serve on the committee again and they are meeting on November 20th in Montpelier. One-ton pickup truck: Mike said the truck is still scheduled for delivery in early December. Bowers Bridge: Mike said Jan Lewandoski inspected the bridge. Mike described the damage. Glenn said the revised repair estimate is between \$36,000 and \$40,000. Mike said Jan's company is available to do the work this winter. Mike said the highway department has put barriers in place to limit the height of vehicles that can cross the bridge to 8 feet. Tom asked if the damage was due to rotting or something heavy going over the bridge. Mike said probably both. Glenn said Jan's second letter surmises that something of considerable weight went over the bridge and expedited the demise. Tom asked if we should check with our insurance company or see if we can get grant funding since it is an historic structure. Glenn said we should file an insurance claim. Glenn added that the town was supposed to get \$5,000 of grant funding for the bridge following Irene but it never materialized. Glenn asked Mike to consult with the Agency of Transportation. The Selectboard agreed that they will need to include this in the 2013 budget. Tom said it's an historic structure so we'll have to let the state know. Glenn agreed. There was discussion about whether a bid package needs to be prepared. Bruce said the town would need an expert just to prepare a scope of work. According to Mike, Steve Bodley said it's out of his league. Bruce suggested asking for a more detailed estimate. Glenn agreed. FEMA seminar: Martha gave the Selectboard an overview of the seminar she attended on November 8th with regard to documentation, procurement, affirmative action, auditing, contractor debarment and other issues. Tom said for every bill there's an order that was written and signed by the board. Glenn said his sense is that we're in good shape. Glenn suggested that the Selectboard review VLCT's model procurement policy. Martha noted that she spoke with Mary Andes about the final payment for Bowers Bridge. Glenn said there are three small changes to existing project worksheets that we will probably not be reimbursed for. Glenn suggested letting them go.
- 9) Review Road Acceptance Policy – In light of the situation with Coaching Lane Extension, Glenn suggested revising the policy to allow consideration of factors such as the Grand List value of the property accessed by the road, standards of the road prior to takeover, public safety issues, future development potential and a specification that acceptance is at the discretion of the Selectboard. Tom noted that acceptance can also be by town vote. Glenn suggested that the Selectboard consider a revised ordinance at their next meeting.
- 10) Animal Control Ordinance – Glenn asked what we found out from Weathersfield. Cathy said she will call Flo Ann at the Weathersfield Town Office tomorrow. Tom suggested sending a letter to our state representatives explaining the problem and asking them to change the statute to address the situation. Glenn and Bruce agreed.
- 11) Discuss and finalize RFP for ambulance services – Glenn handed out a list of ten items of information that he feels we should get from potential ambulance service providers before awarding a contract. Glenn said Scott Smith and Nancy Gaynor responded to his request for feedback. Glenn read Scott's email. Cathy Boedtke asked about the service providers' ability to provide a medic if needed. Cathy also suggested asking for actual run times rather than estimated response times. Bruce said the response time should be calculated from the time the call went out until the ambulance arrived on scene. Tom asked what happens if there is a school bus accident with multiple injuries.
- 12) Discuss rescue equipment funding – Glenn said we are starting to get calls that are trail related and we have no way to get to people unless we borrow some equipment. Glenn said maybe the town, the FAST Squad and the Fire Department could share the cost of the equipment. Mike said the Fire

Department has a committee that is going to go look at the equipment owned by Ludlow, Westminster, Woodstock and Cavendish. Mike said the fire incident in Hartland today convinced him that the Fire Department needs some new equipment.

- 13) Town Forest trails update – Jim Lyall noted the following: There were trees and branches down during Hurricane Sandy, which he is cleaning up; he has put up additional signs for hunting and horses; the snowmobile bridge looks okay structurally; the new trail is finished and sign posts have been installed although the signs themselves are not up yet; the major stream crossings have been armored; he will blow the leaves off the trails on his own time; and several people have asked about using the trails at night during hunting season. Glenn and Bruce said they have no problem with that. Mike said hunting ends half an hour after sunset. There was discussion about blazing the trails for winter use. Glenn suggested having rescue routes designated with reflective markings. Bruce and Jim agreed. Glenn said there is \$3,800 left in the Town Forest account.
- 14) Police report – Glenn said there were 17 calls during the month of October.
- 15) Sewer line update – Glenn said the Memorandum of Understanding (MOU) has been signed by everyone except Snowdance LLC and MFW. Glenn said he expects those signatures tomorrow at the Windsor-Ascutney Sewage Treatment Enterprise (WASTE) meeting at which point the parties will begin working on a purchase and sales agreement. Glenn said Aldrich & Elliott is almost finished with their rate study and it appears that the number of equivalent users will increase from 273 to 291. Glenn said the Selectboard is continuing discussions with the town of Windsor about the transfer of the easterly portion of the system and rates for processing, operations and maintenance. Glenn said he sent Town Attorney Matt Birmingham a letter outlining the discussion that occurred between the Windsor and West Windsor Selectboards. Regarding the preliminary engineering for the village of Brownsville, Glenn said most of the basement surveys have been completed and A&E is working on a preliminary design. Glenn said the preliminary design should be done around the first of the year.
- 16) Community Development Block Grant discussion – Glenn said we have set up a site visit to discuss the sewer line expansion later this month with the VT Department of Housing & Community Affairs, A&E engineer Joe Duncan, SWCRPC Director Tom Kennedy, and possibly our state representatives. Glenn said he will let everyone know when a specific date and time are scheduled.
- 17) Library discussion – Glenn asked Tom for clarification about where we stand with regard to the Library trustees. Tom said, as of now, Glenn and Bruce are trustees but the state doesn't particularly like it. Tom said the trustees have inspected the apron around the building and it needs to be fixed so they got a quote from Blaktop.
- 18) Consider establishing an emergency line of credit – Glenn said Cathy Archibald has discussed this with the bank and it doesn't appear that there will be any problem. Cathy noted that a line of credit usually has to be renewed every year.
- 19) Emergency Management – The Selectboard agreed to table discussion of this item.
- 20) Discuss Conservation Commission vacancy – Glenn said he was saddened to learn of the death of long-time Conservation Commission member Bob Smith. Glenn proposed that the Selectboard join the Conservation Commission in adopting the following resolution: “In appreciation of Bob Smith for his many years of service to West Windsor as a charter member of the West Windsor Conservation Commission. Even when Bob’s health was failing, he remained actively interested in the betterment of West Windsor and the conservation of lands and trails.” **Glenn moved to adopt the resolution. Tom seconded the motion, which passed unanimously.** Glenn proposed to post the vacancy. Tom and Bruce concurred.
- 21) Energy Committee discussion – Glenn said the Energy Committee has been maintaining a low profile. The Selectboard agreed to discuss this item when they discuss committee appointments.
- 22) Discuss possible Recreation Director position – Glenn said the Planning Commission has been rewriting the Recreation chapter of the Town Plan and there has been some discussion about having a Recreation Director since we're trying to enhance economic activity through recreation. Glenn said Cathy Boedtker has offered to volunteer her time as Recreation Director. Tom asked about a job description. Glenn said a job description needs to be developed. Tom said he hopes the town can

work something out with the school so the gym can be used by the community. Cathy Boedtker agreed. Cathy said there would need to be a small budget for marketing. Cathy agreed to develop a job description. The Selectboard asked Cathy to work with Mark Isenberg. Cathy said there needs to be coordination among committees and a calendar to ensure there's no overlap among major events.

- 23) Discuss employee health insurance benefits – Glenn noted a 10% increase in premiums in 2013. Given that there are substantial changes coming down the pike for 2014, Glenn suggested sticking with the existing plan and figuring out some way to address employee concerns. Bruce agreed.
- 24) Discuss Coakley stipulation – Glenn said the town and Mr. Coakley reached an agreement through mediation and it now appears that Mr. Coakley may be in violation of that agreement. Glenn said Matt Birmingham was going to talk to Mr. Coakley's attorney today. Depending on how that conversation went, Glenn said we should consider instructing Town Counsel to revoke our offer of settlement and proceed to Environmental Court. Glenn said the stipulation clearly states that before any remediation work is done, Mr. Coakley's forester will review the plan with the Development Review Board and that has not happened. Bruce asked if Mr. Coakley has funded the escrow account. Glenn said not to his knowledge. Glenn added that Mr. Coakley was supposed give the town 30 days notice if he could not accomplish the plan by December 1st and he has not done that. Bruce said he would not hesitate to pursue it in Environmental Court. Tom asked if the town has a lien on Mr. Coakley's property. Glenn said he is not aware of any liens. Glenn said the stipulation waived the fines but, as far as he is concerned, the stipulation is null and void. Tom said he would like something to prevent the owner from getting clear title. Glenn said he will mention it to Matt tomorrow.
- 25) Correspondence – Glenn noted the two letters from Jan Lewandoski regarding Bowers Bridge. Martha noted the ambulance contract received from Windsor. Bruce said we have to go back to them and get their response to the RFP. Glenn said he has been in contact with Windsor.
- 26) Schedule meeting to review budget and law enforcement contract – The Selectboard scheduled a budget meeting for Tuesday, December 4th at 7:30 AM and agreed to invite Windsor law enforcement officials to join them at 8:30 AM. Bruce asked Glenn to request a summary of the log showing how many hours they've been on patrol in West Windsor.
- 27) Approve Minutes - October 15th: **Tom moved to approve the minutes of October 15th, as written. Bruce seconded the motion, which passed unanimously.** October 20th: **Tom moved to approve the minutes of October 20th, as written. Bruce seconded the motion, which passed unanimously.** October 23rd: **Tom moved to approve the minutes of October 23rd, as written. Bruce seconded the motion, which passed unanimously.** October 27th: **Tom moved to approve the minutes of October 27th, as written. Bruce seconded the motion, which passed unanimously.**
- 28) Other Business – Mike said we need to keep track of our work on Coaching Lane Extension. The Selectboard agreed that it should be tracked under "Special Projects." Glenn said he asked Martha to come up with a rate sheet for town equipment, based on FEMA rates, including the operator. Glenn said all the Coaching Lane Extension property owners have signed off on the Memorandum of Understanding and the Town Attorney hopes to have the formal agreements done this week. Grange Hall: Tom noted that the Bone Builders exercise group has moved over to the Grange Hall and the snowmobile club is going to meet there too.
- 29) Adjourn – Glenn moved to adjourn at 8:40 PM. Bruce seconded the motion, which passed unanimously.

Respectfully submitted,

Martha Harrison