

## WEST WINDSOR SELECTBOARD

Draft Minutes  
November 5, 2013

Present: Glenn Seward, Tom Kenyon, Bruce Boedtger, Cathy Archibald

- 1) Call to Order – Selectboard Chair Glenn Seward called the meeting to order at 8:00 AM.
- 2) Public Comment – None
- 3) Consider request for extension of initial highway access approval: Larkins (Cemetery Road) – Tom clarified that it’s an agricultural access. **Glenn moved to approve the Larkins’ request for a one-year extension of the approved initial agricultural access on Cemetery Road. Bruce seconded the motion.** Tom asked what agricultural use the applicant is planning to engage in. Glenn said he thinks they are planning to build a barn. Tom said he is concerned about the access being used for non-agricultural purposes. Bruce agreed that the approval should emphasize the limited use of the access. Glenn suggested checking the regulations to see if there is a definition for “agricultural access” and, if there isn’t, the letter granting the extension should specify the use limitations and the need for approval for any changes of use, which would also have to comply with B-71 standards for driveways. Bruce agreed and suggested that the Selectboard develop a definition for “agricultural access.” Glenn and Tom agreed. **Glenn called for a vote on the motion, which passed unanimously.**
- 4) Town Clerk’s orders – **Tom moved to sign orders. Glenn seconded the motion, which passed unanimously.**
- 5) Budget Discussions – Glenn asked if the reappraisal work is done. Cathy said the appraiser is still taking a few pictures. Tom said if there’s a balance in the General Fund at the end of the year, he’d like \$10,000 to go to the Sheddsville Cemetery. Tom said he thinks most of the appropriations are going to be the same. Tom said we budgeted \$9,000 for county taxes in 2013 and paid \$15,000. Tom said we also have to pay \$8,000 per year for the next ten years as our share of the renovations to the county courthouse. Cathy said she thinks the total amount paid to the county is going to be \$23,000 next year. Tom said he’d like to consider moving the tree budget from the highway budget to the town budget. Tom said we need to know what the bottom line is going to be for the highway budget so we know how much we can put into the paving fund. Tom noted that Article 6, regarding the refurbishment of gravel roads, passed but we haven’t established the fund yet. Glenn said he has been keeping a list of anticipated large expenses and noted specifically health insurance (\$5,000 increase) and trail marketing (\$7,000). Tom asked what portion of trail marketing comes out of the town forest budget. Glenn said we’ll have to discuss that. Tom asked how long the marketing expense will continue. Glenn said the \$7,000 would cover the second and final phase; after that, it’s a yearly thing based on how much the town wants to put into it. Glenn continued with his list, which includes covered bridge repairs (\$30,000) and the Hale property buyout (\$10,000). Glenn said Tom Kennedy has some ideas about structuring the buyout and/or obtaining a grant to reduce the town’s cost. Tom asked if the abutter to the Hale property has responded to our letter asking if he has any interest in acquiring the property. Glenn said no. Glenn said there has also been no response from the Nilson family about the property adjacent to Bower’s Bridge. Regarding EC Fiber, Glenn said it’s been suggested that the town have \$10,000 available for contingencies. Tom said the Sheddsville Cemetery wall

project is \$6,500 but if we budget \$10,000 we won't have to worry about funding for the cemetery for a couple of years. Glenn said the town's share of the flood damage work is \$13,000. Tom asked if that's coming from the highway budget. Glenn said we need to discuss that. Glenn said legal fees continue to grow for property tax appeals and for issues related to the sewer and the resort. Cathy said we budgeted \$21,000 for legal fees and we've spent \$34,096 to date. Tom asked if legal fees related to the sewer will be incorporated in the sewer budget in the future. Glenn said yes. Glenn added that he believes the town will recoup some of the costs incurred in implementing the agreement. Tom asked why the Listers Fund doesn't cover the legal fees associated with tax appeals. Glenn said it probably should. Bruce asked if next year's legal fees will be as high as this year's fees. Glenn said they could go down but it's difficult to determine given that we don't know what's going to happen with the resort. Glenn said there is some interest in getting the ski area going again through some unconventional means such as a co-op arrangement. Glenn said he thinks there could be a request for the town to get involved in some manner, not necessarily financially. Tom said he thinks the town should encourage the state to increase the amount of water that can be withdrawn from Mill Brook for snowmaking. Bruce said that's an uphill battle; the previous owner violated their Act 250 permit by continuing to withdraw too much water from the brook. Bruce said if they make an exception for Ascutney, they'll have to make exceptions for every ski area. Glenn said he thinks the town should get involved. Bruce said the studies have been done and it would be nice to have some facts. Bruce said it would be nice to know if the ski area could operate within the existing guidelines if the amount of skiable acreage, and the amount of snowmaking, were reduced by half. Tom said he thinks the town can have access to available state information through the regional planning commission. Glenn said he thinks if snowmaking is confined to the lower half of the mountain and the state allows some additional flow, it might work. Glenn said the resort is required to stop withdrawing water when they reach the conservation flow. Bruce said there has to be a way to store water because the amount of water available is higher during a thaw when it's too warm to make snow. Glenn agreed and added that he thinks it's do-able. All Selectboard members agreed that the town should be involved. Glenn said he has discussed the handling of the town's indebtedness and surplus with Town Treasurer Cathy Archibald and Accountant John Mudgett. Glenn said he has suggested that surplus funds be transferred into the "reserve fund" so they can be tracked more easily. Glenn said he also thinks the 3 cents included in the tax rate for "highway indebtedness" should be placed in the gravel fund that was created last year. Glenn said John Mudgett agreed with that idea. Tom said some projects didn't happen because of Irene and he thinks the town should be able to use the money generated by the 3 cent increase in the tax rate for those projects. Glenn said the Selectboard indicated that the town needs the money for Irene-related repairs. Bruce agreed that the money was needed to cover disaster damages and it should be used accordingly. Tom said he doesn't want the use of the funds to be too narrowly restricted. Glenn said he thinks the town would be justified in working on Rush Meadow Road or in doing additional paving on Brownsville-Hartland Road. Glenn asked how the reserve fund was created and what restrictions there are on the use of those funds. Cathy said it was created as a "rainy day" fund for the town with no restrictions on use. Tom noted that the Treasurer loans the money from the reserve fund to the general fund so we don't have to borrow from the bank. Glenn asked why the reserve fund can't be used for highway projects. Cathy said she will check the minutes. Tom said the Town Hall centennial is in 2015 and he would like to get the clock fixed by then. Tom asked

about the end-of-year estimate for the highway budget. Glenn said we have \$105,000 in the town budget to get us through the end of the year so it's likely that there will be a surplus, given that we haven't received our "current use" payment yet. Glenn noted that there will be a drastic reduction in current use dollars next year because of the reduced value of land that's enrolled in the current use program. Cathy agreed that the town budget should have a surplus at the end of the year. Cathy said when the Sheddsville Cemetery Certificate of Deposit (CD) comes up for renewal in January, she'd like to cash it out and transfer the funds to savings so she has enough money to reimburse the town for cemetery maintenance wages. The Selectboard agreed to discuss the CD when they consider whether to use some of the surplus for the cemetery. Cathy asked if she should pay Jim Kenyon \$2,000 this year for his position as Emergency Management Coordinator. The Selectboard agreed that she should. Regarding the \$65,000 deficit in the highway budget, Glenn said we should bear in mind that we've spent \$123,000 in flood-related expenses. Cathy said she has \$79,000 in flood-related expenses but that's not including wages or anything. Glenn noted that a big chunk of the flood-related expenses will be reimbursed so the highway budget is fine. Glenn noted that the recent floods have illustrated that most of our bridges and culverts are undersized. Tom said he would like a priority list from the Highway Foreman of bridges and culverts that need to be replaced. Glenn said he discussed the Jewett/John Myers/Bible Hill/Harrington watershed with Mike because the existing structures are undersized and the roads have experienced damage. Glenn said he has requested hydraulic studies for all the structures even though the town is not eligible for hazard mitigation funding to replace them. Tom suggested straightening Bible Hill Road as an alternative to replacing the culvert between the Calhoun and Epstein properties.

- 6) Other Business – Bruce expressed concern about Glenn and Jim Lyall attending a meeting with Dianne Connors and April Hensel without warning a meeting and having the other Selectboard members in attendance. Tom agreed. Glenn said he thinks the purpose of the meeting is for April to understand the situation so she can determine whether anything can be done to address Dianne's concerns. Glenn said he's not sure it's appropriate to involve the public in a private landowner's concerns about our Act 250 permit. Bruce said he's concerned about transparency given the sensitivity of the issues. Bruce said he's okay with April and Dianne meeting but, if a town employee and the Selectboard Chair are going to be involved, he thinks it should be a warned meeting. Tom agreed that April and Dianne should meet and let the town know if there's a problem. Glenn said April asked for the meeting, so she should be consulted. Tom and Bruce asked Glenn to discuss it with April and get back to them.
- 7) Adjourn – **Glenn moved to adjourn at 9:26 AM. Bruce seconded the motion, which passed unanimously.**

Respectfully submitted,

Martha Harrison