

WEST WINDSOR SELECTBOARD

Draft Minutes
October 8, 2012

Present: Glenn Seward, Tom Kenyon, Ralph Bailey, (V.P. Orange Lake), Joe Duncan (Aldrich & Elliott), Kevin Camara (Aldrich & Elliott), Nate Pion (Aldrich & Elliott), John Bossen (Property Owners Association (POA)), Tom Marsh (Windsor Town Manager), Jeff Nelson (POA), Tom Carroll (Mts. Edge Condo Assoc.)

- 1) Call to Order – Selectboard Chair Glenn Seward called the meeting to order at 2:07 PM and noted that those present had just returned from a tour of Orange Lake’s facilities, where they looked at areas of concern and discussed how rates are arrived at.
- 2) Review & discuss sewer rate structure with engineering firm Aldrich & Elliott (A&E) – A&E Engineer Joe Duncan had an outline of specific topics to discuss (attached). Joe said the goal is to determine what sewer rate West Windsor should charge users after the town acquires the system. The rate will depend on operation and maintenance costs, debt service, treatment costs and the number of equivalent users (EUs). There was discussion about the need to determine the number of EUs associated with Orange Lake’s current commercial uses and Snowdance’s potential future commercial uses. Joe asked if the town is going to take over everything at the resort, including the pump stations. Glenn said yes, the pump stations would belong to the town but we need to define the portion of the system for which the building owner is responsible, and the portion for which the town is responsible. Joe asked if the town would also be taking over the “private” portion of the system. Glenn said yes; although there are ownership issues there that need to be resolved by attorneys. Joe asked about the Dairy Lane spur in Windsor. Glenn said he and Windsor Town Manager Tom Marsh have discussed the possibility of transferring a portion of the system to Windsor. Joe said A&E needs an estimate of Windsor’s treatment and maintenance fees. Tom Marsh said Windsor would like to have a fair and equitable system and would prefer to do daily maintenance and oversight, but not be involved in capital repairs. Tom Marsh said Windsor would also prefer to have a billing system that is as simple as possible; if there is agreement on the number of EUs, West Windsor users would just pay what Windsor users pay. Joe asked which town would pay for the electricity used at the pump stations and the chemicals used to mitigate odor issues. Ralph (?) said that Orange Lake is paying for the electricity associated with the two pump stations on the Orange Lake spur. Tom Marsh said Windsor would probably want to include the chemicals in their budget, as well as anything that has to do with maintaining the integrity of the line. Tom Kenyon asked about Dairy Lane. Glenn said we’re currently operating on the assumption that West Windsor will own the entire system. Joe said A&E will be using the Environmental Protection Rules (EPR) flow tables (Item C), which has design flows of 210 gallons per day per residential unit regardless of the number of bedrooms. Joe described the method for determining the number of “equivalent users” for commercial enterprises. There was discussion about whether the rates will be based on design flows or current usage. Joe said A&E tends to base it on design. Joe noted that 60 to 80% of Windsor’s costs are fixed costs. Joe asked about the town’s timeline. Glenn said the town needs to have all questions answered before closing on the purchase. Joe said A&E should have a report to the town before Thanksgiving. There was further discussion about charging based on design v. use. Jeff said in New York, property owners are charged based on design because that use can be reinstated at any time without additional permits. Joe agreed that it is “cleanest” to charge based on design, from an auditing and tracking standpoint. Glenn suggested that if current usage is not in accordance with the original permit, the property owner should apply for a zoning permit for a change of use. It was noted that owners of unused buildings can be required to give up their allocation and then reapply for it, for a fee, if they want to use the building in the future. It was also noted that wastewater permits may need to be amended. There was discussion about disconnecting buildings that give up their allocation. There was also discussion about whether single family homes with accessory dwellings should count as one or two. Joe said

A&E will review the Listers' cards for information on wastewater systems. Glenn was asked if capital expenses/major improvements will be included in the budget. Glenn said the escrow account would be transferred to the town at closing and there would be some sort of regular charge (e.g. 5%) for future capital expenses. Jeff asked if A&E did the report that said the system needs approximately \$200,000 worth of work. Joe said yes; everything will be factored into the budget and the rates. Glenn noted that there are less expensive alternatives to replacing the storage tank. Tom Kenyon asked if Windsor is going to quote a fee for operating the system. Joe said it's his understanding that the equivalent user rate charged by Windsor would include operating costs. Tom Marsh agreed. There was discussion about what would (sewage treatment and routine system maintenance) and would not (capital expenses and electricity) be included in Windsor's bill to West Windsor. Glenn said the issue with Orange Lake is how we handle the grease trap. Joe said Windsor's fees, the debt service amount, and the amount needed for capital improvements will all be included in the budget. Joe said A&E will present the town with the permitted uses and the actual uses for Snowdance and Orange Lake and town officials can decide how they want to handle any discrepancies. There was discussion about the need to establish who is responsible for which portions of the system. There was also discussion about meters. John said the POA hopes to eventually have a base charge plus a metered use charge, incorporating both water and sewer. Glenn said he will notify everyone about the next meeting. Glenn said the town needs the approval of the WASTE board to transfer ownership of the escrow funds. Jeff asked if the town will get an accounting from Snowdance. Glenn said yes; that's what the town is waiting for. Joe had a professional services agreement for Glenn to sign on behalf of the town, and a revised CWSRF Planning Loan application, which will be included for consideration on the agenda for the next Selectboard meeting.

- 3) Reclassify the Class 4 section of Coaching Lane to Class 3 and lay out a Class 3 town highway in the right-of-way extending from the end of Coaching Lane to the Town Forest – **In the interest of the public good, safety and convenience of the residents of the town of West Windsor, Glenn moved to reclassify the Class 4 section of Coaching Lane to Class 3 and to lay out a Class 3 road over the existing 50' right-of-way to ensure safe and secure access to the town forest. Tom Kenyon seconded the motion.** Tom Kenyon asked about the sliver of land on the west side of the proposed road. Glenn said we reviewed it with the Vermont League of Cities and Towns and with our zoning regulations and there's not an issue; the sliver of land stays with the owner and cannot be developed due to its size. **Glenn called for a vote on the motion, which passed unanimously.**
- 4) Other Business – Lemire & Hannah Roads: Tom Kenyon asked why the town doesn't just discontinue Hannah Road. Glenn said he asked Martha to put it on the agenda for the next meeting and notify the affected property owners.
- 5) Adjourn – **Glenn made a motion to adjourn at 3:30 PM. Tom seconded the motion, which passed unanimously.**

Respectfully submitted,

Martha Harrison