

West Windsor Selectboard
Draft Minutes
September 14, 2020

Present at Town Hall: Win Johnson, Brett Myers, Matt Kantola, Mike Spackman, Cathy Archibald, Tom Kenyon, Bill Young, Jessica Brodie

Present via zoom/phone: Martha Harrison, Deb Shearer, Al Keiller, Lauren Stevens, John Mudgett, Fred Kolling, Glenn Seward

- 1) Call to Order – Selectboard Chair Win Johnson called the meeting to order at 6:30 PM.
- 2) Changes or additions to the agenda – two highway access applications, event application, Sheddsville Cemetery, cemetery deeds, August police report
- 3) Announcements/Public Comment – Win noted that a lot of people are coming into the Town Hall and suggested discussion under item #13 (Town Hall Use Guidelines).
- 4) Public Hearing: West Windsor Town Plan – Win opened the public hearing and noted that the Selectboard made some revisions to the draft provided by the Planning Commission (PC). PC Chair Al Keiller said the PC got public input at Town meeting, the July Fourth celebration, and with a survey. The PC then redrafted the Plan with guidance from Jason Rasmussen from the Regional Planning Commission to ensure that any changes were in compliance with state regulations. In December 2019, prior to the PC’s public hearing, the Plan was submitted to the Selectboard. With Martha’s help, the Selectboard made some revisions to the Plan, which the PC reviewed and accepted at their August meeting. The PC also reviewed the two-page report on the Plan and agreed that no changes to the report were necessary. On behalf of the PC, Al encouraged the Selectboard to adopt the Town Plan. Win noted the Priority Implementation Matrix at the end of the Town Plan, which lays out a schedule of work that will keep the various local boards busy for a while. Jessica Brodie asked if the PC or Selectboard had considered creating a Recreation Commission. Al said they had not considered that. Al noted that many of the recreation goals included in the last Town Plan, including the purchase of the mountain property and the creation of Ascutney Outdoors, have been accomplished. Win invited Jessica to submit a proposal outlining her ideas, and encouraged her to talk with people at the school and Ascutney Outdoors to determine if there’s a gap in the types of activities being offered. Matt noted West Windsor’s association with the Windsor Parks & Recreation department. Jessica said a West Windsor Recreation Commission could help organize events and programs that bring people together locally. Win said adopting the Plan doesn’t preclude us from discussing a Recreation Commission and including it in the Plan later on. Lauren commented in support of Jessica’s idea, noted the lack of child care, after school and summer programs in West Windsor, and encouraged the Town to take small steps to implement programs that will attract and retain young families. With no further comments, **Win moved to close the public hearing. Brett seconded the motion, which passed unanimously. Win moved to adopt the Town Plan as recommended, and to discuss further the idea of forming a Recreation Commission at a future Selectboard meeting. Brett seconded the motion, which passed unanimously.**
- 5) Coronavirus updates – Mike had nothing to report. Win asked Lauren if the BB&P is still providing curbside grocery pick-up. Lauren said they are still getting one or two curbside orders per day.
- 6) Noise complaint discussion – Win said he received two petitions signed by 27 people objecting to the episode of target practice on August 20th. Win said he also learned that the

Windsor Police Department was summoned that day, but they were unable to locate the source of the noise, probably because they didn't get here until after it had stopped. Win suggested that the Selectboard review the noise ordinance to make sure it adequately addresses this type of episode. Win also suggested communicating with the property owner about the level of objection and offered to draft a letter citing the petition, the police visit, and the Selectboard's sense that the incident amounts to a potential violation of the ordinance. Matt said it sounded like large caliber weapons were being used. Bill said all the gun clubs in the area have limits on rapid fire shooting. Win said what we were told last year was that multiple shooters were shooting at the same time so it sounded like rapid-fire shooting. Brett asked about the plan for dealing with future non-compliance. Win said the ordinance allows for municipal tickets. Matt asked if the noise ordinance has a decibel limit. Win said no. Lauren asked if it addresses safety. Brett said it does address safety.

- 7) Audit review – John said the initial draft was reviewed and revised, and the July 29th draft is the final draft. All funds have balances, some modest and some substantial. There are no new findings, although the 2018 findings are still being worked on by the Town, so they have been carried forward. Win noted that the General Fund still has an unassigned fund balance of more than \$500,000 but some of that will be moved to the equipment fund. Win said budgeting for property taxes in the General Fund is an ongoing issue; we budgeted \$467,000 and ended up with \$450,000, which included some deferred taxes. Win said if education taxes are higher than expected, then property tax revenue in the General Fund is lower than expected. John suggested adding a contingency to get closer to the budgeted tax revenue amount. Regarding inter-fund transfers on page 30, Win asked about including the Library in the General Fund budget and not having a separate article. John said there's no reason to have a separate article for the Library since it's no longer an appropriation to an outside organization, but it is a transfer. Regarding the "reserve account" at the bottom of page 30, Win asked about cleaning it up. John said it's an idle account that's available to be used by the Selectboard for any purpose. Win asked John to talk about the findings on page 38, especially with regard to software that might help us make better use of NEMRC. John said the "due to/due from" accounts could be used more for pooling cash, which would require more training. Win asked if the Town is handling taxes on a cash basis rather than an accrual basis. John said it is more of a cash concept because it's recorded when it's collected, and there's a subsidiary system that keeps track of who still owes property taxes. John said an accrual system records the revenue when the taxes are billed and the accounts receivable within the system tracks who has paid and who still owes. John said the existing method is not the most efficient and requires more reconciliation. Win noted that the findings are "material weaknesses," and read the definition of material weaknesses. John said the other two findings are related to internal controls and capital assets. With regard to internal controls, John said many small towns do not have the segregation of duties that an internal control structure usually relies on, and therefore requires additional oversight as a compensating control. Win asked about John's qualified opinion on the town's governmental activity. John said the basis for the qualified opinion is stated on page 2: "the Town has not maintained complete records of the cost of land and buildings and has reported those...assets at an estimated value determined several years ago." The Town has also not recorded or included some infrastructure improvements, which now are required to be capitalized. Win said he thought it had to do with the pension fund. John said an earlier draft had an additional qualification because the state had not released the information for the pension plan that the

Town participates in, but that information has been released and included in the latest draft. Tom asked about delinquent sewer bill payments. John said he didn't spend much time on the aging or collectability of those receivables; he assumed the Town would collect them eventually through a lien on the property. Cathy said there are still five delinquent sewer accounts and she has liens on the properties. **Win moved to accept the audit as presented. Brett seconded the motion, which passed unanimously.** John said he needs to get the approval form and the management representation letter from the Town.

- 8) Town Clerk's report – Orders: Win noted two payments to Murphy and asked Mike how far along he is on the Rush Meadow project. Mike said Murphy has started the project and paid \$60,000 for the new culvert. One problem is that GMP has said they can't shut the power off until September 26th, but Jon can work around that. Cemetery deeds: Cathy had three cemetery deeds, with two copies of each. **Brett moved to authorize Win to sign the deeds. Matt seconded the motion, which passed unanimously.**
- 9) Highway access applications – Smith/Emanuele highway access (Shattuck Hill): Mike said the highway crew did some ditching on Shattuck Hill that created an issue for the property owner. In order to address the issue, Mike said they put a culvert in, with the property owner paying for the pipe and the highway crew installing it. Mike noted that there was already an access in that location so it's not a new access. Gaudette highway access (Cemetery Road): Mike said this is a similar situation. There was a place where the Gaudettes could enter their field and the ditching done by the highway crew interfered with that so the property owner is going to pay for a pipe and the highway crew is going to install it. **Brett moved to approve both access applications for agricultural use. Matt seconded the motion, which passed unanimously.**
- 10) Event application: Berry/Nadeau wedding – Cathy received an application from Barbara Holloway for a wedding to take place at 245 Edson Burke Road on September 26th from 3:00 PM until 11:00 PM. The application indicates that music will be turned down at 10:00 PM and turned off at 11:00 PM. There was a question about the state's limit on the size of gatherings, which is 150 for outdoor events. Martha asked if it's an outside event. Cathy said yes. Mike asked if there is a condition that the Fire Department is notified about the event and said he doesn't like the new form because the notification requirements are not clear. Martha suggested creating a separate event application form for events that are not on the mountain. Win agreed that the form needs clarification. Brett asked who monitors the size of events. Win said they are self-monitored. Win said we should give a copy of the approval to Erik. Cathy said she gave Mike a copy of the application to give to Erik. **Brett moved to approve the application, noting that the applicant should be careful about noise between 10:00 PM and 11:00 PM. Matt seconded the motion, which passed unanimously.**
- 11) Highway Foreman's report – Harrington Road culvert project: Mike said the second Harrington Road project is not done; guard rail still needs to be installed on the north side of the road. Mike added that the payment should be held until the work is done. Mike said he spoke with Mike Blakslee at District 4 and there's no way he will sign off on a non-permitted guard rail. Win asked if we've received payment for the first Harrington Road project. Cathy said yes. Sheddsville Better Roads project: Mike said he thinks most of the bills are in, except the Cersosimo bill, which was sent to Weathersfield by mistake. When that comes in, we can request reimbursement. Ditching: Mike said the Silver Hill Road ditching is done, the Kimball Farm Road ditching will be done this week, and there's a little work still to be done

on Coaching Lane. Grading: Mike said they've been grading every day. Rush Meadow culvert project: Mike said this project is in process. River Management Engineer Scott Jensen was there today to review plans to pump the water rather than install a temporary culvert because there's so little water in the brook. Mike said Jon is trying to figure out a way to install the culvert without a crane so the power doesn't have to be shut off since GMP says they can't shut it off until September 26th. Roadside mowing: Win said the state has released some money for roadside mowing. Sand: Mike said they still need to haul about 2,000 yards of sand.

- 12) Rush Meadow speed limit study – Win said the study done last year shows that the average speed northbound was 30 MPH and southbound was 31 MPH. Win said it's not clear if the speed limit should be set at the average speed or the 85th percentile, which would be 37 MPH northbound and 38 MPH southbound, which is in excess of the current speed limit. Win noted that the study was done south of the narrow, winding section that residents are concerned about. Brett said if the study was done in the area that people are concerned about, the average speed would probably be less. Matt said if the speed limit is 35 MPH and most people are going around 35 MPH or less, why do we need to change it. Win said 15% of the drivers are going way too fast. Brett said the roads are narrow because of the ditches and there are people walking, biking, and riding horses. Mike said that's the case on all the roads. Brett said then maybe we need to consider the speed limit on all our roads. Matt said if the average speed is 30 MPH and the speed limit is 35 MPH, it doesn't sound like there's a big problem. Win said there are recreational users who feel unsafe on the road. Brett said there's nowhere for people riding horses to get safely off the road if a car comes bombing down the road. Matt suggested some "Caution: Horses" signs. There was discussion about the use of advisory signs. Brett said the section that people are concerned about is from Jacquith Road to Duling Road. Win asked Mike if he can put a couple of warning or advisory signs up. Mike said he can do it, but people won't pay attention. Matt said we'd need to have an officer out there. Brett asked why we can't have an officer out there. Win asked Martha to find out when the police were last patrolling on Rush Meadow.
- 13) Sign stormwater permit renewal proposal from Fitzgerald Environmental Associates – Win said all but one of the entities have signed the MOU agreeing to share the cost of the stormwater permit renewal so he thinks we can go ahead and approve the proposal from Fitzgerald Environmental Associates for a fee not to exceed \$5,600, which would be shared among the entities on a pro rata basis. **Brett moved to accept the proposal from Fitzgerald Environmental Associates. Matt seconded the motion, which passed unanimously.**
- 14) Utility updates – Sewer: Martha said it looks like Win signed off on the paperwork to finalize the sewer project. Win said Avery was paid and the manhole that had been left on private property was moved down to the parking lot. Water: Martha said she has not heard from Jason whether or not Daniels got the paperwork they needed from their electrical subcontractor. Win noted that the resort had a gas leak that they thought was in a line but it turned out to be a valve.
- 15) Town Hall Use Guidelines – Win asked if we should open the Town Hall with some restrictions. Cathy said last week and this week there's been a run on dump stickers. Brett asked Cathy if she has a plan for when tax payments come in. Cathy said she'll just have to wait and see how it is. Cathy said the current buzzer system is difficult when she's on the phone; if it gets to the point where she can't get any work done, she'll just leave the door open. Matt suggested opening and limiting the number of people who can come in. Win said

he'll revise the Town Hall use guidance and draft a sign encouraging people to leave their paperwork in the dropbox and specifying rules for those who need to enter. Win said we'll also put tape on the floor showing people where to stand to wait in line. Martha asked how we're going to hold Town Meeting if the maximum occupancy upstairs is 50. Win said he has no idea; we're waiting for guidance.

- 16) Snowstorm #1 equipment and building removal – Win said Glenn had made arrangements to salvage the pumps in return for removing the building, but it turns out that neither the Hotel nor the Town owns the building. Glenn said Dan Purjes/MFW owns the building so he contacted Dan and Dan agreed to have his attorney work with the Town to transfer the equipment to the Town. Glenn said once the transfer is complete, there are two parties interested in demolishing the building and cleaning up the site in exchange for the equipment. Win said he needs authorization to spend a little money on attorney fees to get this done. **Matt moved to authorize Win to spend up to \$500 on attorney fees. Brett seconded the motion.** Tom asked who will own the building foundation and wet well. Win said that's a good question but it's a separate issue. Matt said it sounds like the Town would own it. Win said it depends on how the agreement is worded; he'll check with Matt Birmingham. Glenn said it's his understanding that Dan is willing to agree to the removal of the building and equipment, but not to a real estate transfer; although perhaps, down the road, he would be willing to transfer it to the Fire Department. **Win called for a vote on the motion, which passed unanimously.** Glenn suggested that the Town work directly with the interested parties from now on; he doesn't think he needs to be involved. Win said the Town may still need Glenn in an advisory capacity.
- 17) Other Business – August Police Report: Win noted that several tickets have been issued. Matt noted a theft. Martha said there were actually three thefts listed in the report. Win asked Martha to find out more about them. Census: Win noted West Windsor's 50% response rate and summarized recent efforts to notify second home owners that they are supposed to fill out forms for both their seasonal residence and their primary residence. Sheddsville Cemetery: Tom noted the site visit coming up on September 28th at 6:00 PM. Tom said he's going to ask Dan Lesnick to level off the dirt. Tom also suggested putting the \$12,000 for the stonewall in a reserve fund until the Town gets a proposal they're happy with.
- 18) Approve Minutes – In the following sentence: “There was discussion about whether bump stocks were being used...” Win suggested changing “discussion” to “a question.” **With that change, Brett moved to approve the minutes of August 24th as amended. Matt seconded the motion, which passed unanimously.**
- 19) Adjourn – **Brett moved to adjourn at 8:42 PM. Win seconded the motion, which passed unanimously.**

Respectfully submitted,

Martha Harrison