WEST WINDSOR SELECTBOARD
Draft Minutes
September 18, 2013

Present: Glenn Seward, Tom Kenyon, Mike Spackman, Cathy Archibald, Martha Harrison

1) Call to Order – Selectboard Chair Glenn Seward called the meeting to order at 8:00 AM.
2) Public Comment – None
3) Review and consider amended Brook Road project proposal – Glenn said this came about because the supplier for the concrete box included with the bid awarded last week is not able to supply the culvert until November. Glenn said he asked Jon Murphy to investigate other suppliers and Jon found one who can produce the culvert for installation in mid-October but the cost will go up by about $10,000. Glenn said Jon's revised proposal for the project is $86,643. Glenn said, given that everyone would like this project done this fall and given that Jon's revised proposal is nowhere near the next lowest bid, **Glenn moved to accept the amended proposal from Murphy & Son for $86,643 for the Brook Road box culvert project. Tom seconded the motion.** Tom asked if Jon is marking it up at all. Glenn said no; Jon would like to be able to absorb the cost but it's too much. Glenn said the supplier is producing drawings for the town's review and we should have those on Friday. Glenn said if we sign off on them on Friday, they will start production on Monday. Glenn said Jon will have the site ready for immediate installation when the culvert arrives. Tom asked about state permitting. Glenn said the River Management Engineer already extended the date. **Glenn called for a vote on the motion, which passed unanimously**.
4) Consider signing engineering services agreement with Aldrich & Elliott for Hotel Road pump station upgrade – Glenn said part of the arrangement for taking over the sewer line is accepting the Hotel spur provided that those served by it fund the necessary upgrades. Glenn said Aldrich & Elliott have estimated that the upgrades will cost $75,000 with the costs to be shared on a pro rata basis by Orange Lake (84.87%), Snowdance (1.43%), and Windsor House (13.7%), based on design flow. Tom asked about the fitness center. Glenn said there are no upgrades required for that building; the pump station and control panel were recently replaced. Glenn said the engineering services agreement would be included in the $75,000 so there would be no cost to the town. Glenn said once we have formalized agreements with the three parties served by the Hotel spur, each party would put its share of the costs into an escrow fund and no work would start, other than the engineering work, until each party has paid its portion. Glenn said he'd like to get the engineering work done so we can get a bid package out to contractors. Glenn said Snowdance is okay with the engineering services agreement but he has not heard from Orange Lake and Windsor House. **Glenn moved to accept and authorize the signing of the engineering services agreement from Aldrich & Elliott dated September 13, 2013 contingent upon receiving verbal approval from Orange Lake and Windsor Building. Tom seconded the motion, which passed unanimously**.
5) Other Business – Upon Mike Spackman's arrival, Glenn updated him on the situation with the box culvert on Brook Road. FEMA: Mike said he will go over the remaining flood repair work with Glenn and Martha but the highway department should be done with everything except John Myers Road by September 27th. Glenn said according to Greg Whitman, our FEMA representative, if we're not done, we can estimate the remaining work and FEMA will

pay us $36.91 per cubic yard in place. Mike, Glenn and Martha agreed to meet at 7:30 AM on Friday.

6) Discuss and consider bond vote date – Glenn said he and Martha had a conference call with A&E and, given the amount of work left on the grant and the amount of information that needs to be gathered from other sources, everyone felt that we should have the bond vote sometime around Town Meeting day. Glenn said by then we should have an indication about grant funding. Tom suggested March 11, 2014, the Tuesday after Town Meeting, subject to change.
7) Consider waiver request for homestead declaration penalties – Tom suggested waiting until December 9th to make a decision since we don't know all the ramifications. Tom said, as an auditor, he thinks there should be a paper trail; people should pay the penalty and then, if we decide to waive it, we'll send them a check. Glenn said he spoke with the town attorney after seeing that a number of communities have decided to waive the penalties for everyone. Glenn said the town attorney was not in favor of doing that and suggested that the Selectboard make waiver decisions on a case by case basis based on the statutory criteria in 32 V.S.A. §5410(j). Tom said he is concerned about how much the town will owe the state. Cathy said the state will make all the revisions in the town's final payment next spring. Tom said if the deadline for filing a late homestead declaration is October 1, 2013, let's wait until then to make a decision. Glenn said there are a few people who have medical reasons for not filing and he's comfortable waiving those; the others don't have reasons that meet the statutory criteria. Cathy said the Selectboard has the right to waive the penalties for everyone. Glenn asked Cathy if there's anything from the state authorizing the Selectboard to do that because there's nothing in statute. Tom said he wants to make sure we're doing the right thing. Glenn said he is meeting with the town attorney today and can ask him for a written opinion. After further discussion, **Tom made a motion to ask the town attorney for a written opinion on waiving the penalty for late filing of homestead declarations. Glenn seconded the motion, which passed unanimously**.
8) Town Clerk's orders – **Glenn moved to sign orders. Tom seconded the motion, which passed unanimously**.
9) Adjourn – **Glenn moved to adjourn at 8:49 AM. Tom seconded the motion, which passed unanimously**.

Respectfully submitted,

Martha Harrison