

West Windsor Selectboard
Draft Minutes
September 25, 2017

Present: Win Johnson, Brett Myers, Cathy Archibald, Mike Spackman, Deb Shearer, Martha Harrison, Jason Rasmussen, Seth Warren, Elizabeth Burrows, Bill Ley, Tom Urban, Trace Landino, Michael Bell, Jim Lyall, Cathy Boedtke, Neil & Pamela Brown, Bill Young, Tom Kenyon

- 1) Site visit: 567 Brownsville-Hartland Road (parcel #6-3) in connection with public hearing on highway access for proposed subdivision – At 6:15 PM, Win Johnson, Brett Myers, Tom Kenyon, Mike Spackman, Seth Warren and Martha Harrison met at 567 Brownsville-Hartland Road to review the proposed access.
- 2) Re-convene at Town Hall/Open Public Hearing – At 6:30 PM, Selectboard Vice Chair Win Johnson opened the public hearing on the highway access for the new lot proposed in application #2666 by Neil and Pamela Brown (landowners) and Seth Warren (applicant), which is subject to conditional use review by the Selectboard under Section 3.2 of the West Windsor Zoning Regulations. Win said the Selectboard’s jurisdiction is limited to the access; the DRB will consider the subdivision separately. Seth described the proposed lot, which will have a shared right-of-way up the existing driveway. Since it will be the third lot served by the driveway, the driveway will become a private road and will have to meet certain specifications. Seth noted Mike Spackman’s approval on behalf of the highway and fire departments. Seth said the grade as the road enters the public highway is compliant, and there is a turn-around at the end. Win noted that there is a 50’ right-of-way. Win added that, as a private road, it has to comply with A-76 standards. Mike said it’s important for the three property owners to have a maintenance agreement. Win read the conditional use criteria and said he does not see any instances where the proposed access does not meet them. Brett agreed. **Brett moved to approve the highway access application, subject to the DRB approving the subdivision and subject to the following conditions: that there be no second access onto the Brownsville-Hartland Road; that the road complies with A-76 standards and e911 provisions; that the new lot have a dedicated right-of-way along the existing roadway; and that the property owners served by the road have an agreement to share road maintenance costs. Win seconded the motion.** Seth said there is an existing right-of-way and the road complies with A-76 standards but there isn’t an existing maintenance agreement. Seth added that he will consult with Martha on the e911 provisions. **Win called for a vote on the motion, which passed unanimously. Brett moved to close the public hearing. Win seconded the motion, which passed unanimously.**
- 3) Call to Order – Win called the Selectboard meeting to order at 6:40 PM.
- 4) Changes or additions to the agenda – Tom Kenyon said he’d like to discuss water pressure at the Library, the clock inspection, and Town Hall maintenance under “Other Business.” Win said he would like to discuss implementing NEMRC and reviewing the 2016 financial statements after signing the Town Clerk’s orders.
- 5) Announcements/Public Comment – None
- 6) Town Clerk/Treasurer’s Report – None
- 7) Sign Town Clerk’s orders – **Brett moved to sign orders. Win seconded the motion, which passed unanimously.** Win noted that the town entered into an agreement with Next Sun solar earlier this year and we’re looking into scheduling a meeting to review the savings.

- 8) Discuss implementation of NEMRC financial systems – Win said the town has an invoice from NEMRC for four modules: general ledger, accounts payable, payroll and cash receipts, which would be phased in over time. **Brett moved to proceed with implementing the NEMRC system and purchasing the four modules for a total of \$7,180. Win seconded the motion.** Tom asked if it's a one-time expense. Win said yes. Trace asked about the company. Win said it's the New England Municipal Resource Center, and they provide financial system software that is used by a high percentage of Vermont towns.
- 9) Final review and approval of 2016 Financial Statements – Win said the town received an audit report and audited financial statements for 2016 and, while the Selectboard has reviewed them, they have not formally voted to accept them. Win noted that the statements are being filed with the federal government, which is required due to the amount of loans and grants the town received in 2016. **Brett moved to accept the financial statements provided by Mudgett, Jennett & Krogh-Wisner, P.C. Win seconded the motion, which passed unanimously.**
- 10) Discuss concerns about final work to be done by sewer contractor – Win said the Selectboard will listen to the concerns, follow up with our engineer, and report back at our next meeting. Albert Bridge School walk-way: Elizabeth Burrows said most of the school's concerns have been resolved, except for the sidewalk, which is treacherous in the winter months. Elizabeth said she met with engineer Jason Booth last week to talk about the situation. Elizabeth noted that the sidewalk was ripped up in two places by two different contractors and neither is willing to repair the other's portion of the sidewalk. Martha said Jason agreed that the whole sidewalk should be repaved but there's the question of who is going to pay for it. Elizabeth said one option is to have one firm do the whole thing and have the other firm reimburse them for their share of the cost. Another option is to have a third firm do the work and be reimbursed by the two original contractors. Martha said she contacted Jason today and he is, once again, playing phone tag with Zaluzny. Win asked if the other contractor is Daniels. Martha said yes and, according to Jason, Daniels has already been back to do their portion, but there's still a low spot in it. Elizabeth said she's concerned about safety and wants to get it done properly, before it gets cold outside. Win said he recalls that, at the site visit, A+E and Zaluzny agreed that the temporary work that had been done was not up to par, and Zaluzny agreed to come back and make good on that. Elizabeth asked if they agreed in writing. Win said the town got a list of the tasks Zaluzny agreed to do, and we're frustrated that they have not completed those tasks, and our engineer has not been able to pin them down. Elizabeth said if someone slips on the ice on the sidewalk, as a result of it being "bowl-shaped," who would be responsible. Win said we have to get them back here to do the work as they promised. Win said he will call Jason tomorrow himself and, if necessary, he'll call Zaluzny directly. Tom Urban asked if the town has made final payment. Win said yes. Win said he hopes to have this issue resolved before the next meeting on October 12 and invited Elizabeth to come back to that meeting. Landino driveway: Trace said they provided photos of their driveway to the Selectboard last January and they're still concerned that it's concave and it's going to freeze and crack. Win said in June when the Selectboard did the inspection with the contractor and the engineer, their judgement was that it should not result in these problems but this is visual evidence that they were not aware of. At the January meeting, Trace said, Tom and Dick agreed that the problem should be fixed. Win said he will provide the photos to the engineer and pursue this. Tom Urban said every time it melts and refreezes, it's a sheet of ice, which is a hazard. Win said the Selectboard will do what it can and invited Tom and Trace to come back on October 12.

- 11) Consider signing municipal planning grant resolution – Win said the Selectboard is concerned about the deliverables on this project and also does not want to divert Martha’s attention from current projects. Win read an email from Glenn Seward indicating that Ascutney Outdoors (AO), Sport Trails of the Ascutney Basin (STAB), and the Conservation Commission (CC) Chair are all “cautiously supportive” of the project and encourage the Selectboard to vote positively on the proposal. Glenn’s email said that Laura Stillson has volunteered to be the primary contact for West Windsor, and Michael Bell has also offered to help. The primary interests of AO, STAB and the CC are a marketing effort for the area and the “Trail around the Mountain” project. Glenn added that they are reluctant to spend time and money on studies that may not be of any real value. Jason agreed that none of the partners want to embark on something that has no value. Jason noted that the project cost is just under \$24,000 with a match from each town of \$988. Jason added that Windsor will administer the grant. Jason said one of the goals is to get community buy-in for the trail around the mountain and to scope that project out in terms of costs and funding sources. Jason said some of the other towns would also like to have an economic assessment done. Win asked about the purpose of having an economic assessment done and said he doesn’t think we need that. Cathy Boedtke disagreed and said we have excellent trails but they’re not oriented toward beginners or families and, if we want economic growth in our community, we have to do something about that. Win agreed. Jim Lyall agreed with Glenn’s email and added that community buy-in is important; it’s not just mountain bikers benefitting from the trails, it’s the community. Jim said he thinks an economic study could help quantify the benefits. **Brett moved to approve and sign the municipal planning grant resolution. Win seconded the motion, which passed unanimously.** Tom asked why Reading wasn’t included. Jason said the project is focused on the towns around the mountain.
- 12) Animal Control Ordinance violation – Win noted a complaint from the Cloughs about their neighbor’s dog barking in the middle of the night, which violates the town’s ordinance, and asked Bill Young if he knows what can be done about it. Bill said, according to the Police Chief in Windsor, it has to go through them. Win said, at a minimum, the Selectboard should send another letter. Win said he doesn’t know if impoundment is possible but fines may be. Martha said, according to VLCT, you can only impound if the owner voluntarily surrenders the dog. Bill agreed that there’s a procedure you have to go through before you can impound. Win suggested that Martha do some more research and then meet with him and Bill to determine what we can do and draft a letter if that’s appropriate. Brett agreed.
- 13) Event application: Vermont Academy Regional High School Mtn. Bike Race on October 18, from noon until 6:00 PM at Ski Tow Road parking lot and Ascutney Trails – Win asked if AO is partnering with VT Academy on this. Michael Bell said VT Academy asked AO to host the event. Win said the town’s position is that the property is leased to AO and therefore AO has to approve and co-sponsor guests on the property. Michael said he got approval from the AO Board but, because there will be more than 100 people participating in the event, Deb said it should be approved by the town. Win said the event application ensures that the proper people have been consulted. Mike Spackman said no one has contacted him. Deb said the event takes place mid-week and will be entirely on the mountain. Mike Spackman said a lot of applicants write “not applicable” as an answer for the question about arrangements for emergency fire service. Mike said he thinks the fire department should know what’s going on. Win said he imagines applicants don’t understand that the fire department does many things, including back country rescue. Mike said AO should notify applicants that they do need to contact all the emergency service providers. Brett suggested that applicants make all the appropriate contacts before submitting an event application. Cathy Boedtke asked how

you determine whether an ambulance should be stationed on site. Win said making these contacts will help the applicant determine what's necessary for the type of event. Mike said there should be a written, signed agreement with each service provider. Brett suggested approving the application subject to the applicant providing signed agreements with the ambulance service and the fire department. Win said at some point we should review this process; what has happened over the past year; what's gone right and what's gone wrong. **Brett moved to approve the VT Academy event conditional upon evidence that both the ambulance service and the fire department are aware of the event and prepared to provide whatever coverage is necessary. Win seconded the motion, which passed unanimously.** Win thanked everyone for their efforts on the Vermont 50 race yesterday. Tom Kenyon suggested more publicity so people are aware that the event starts very early on Sunday morning. Bill Ley noted a lot of cars with out-of-state plates speeding on the Brownsville-Hartland Road on Sunday and asked organizers to remind participants to adhere to local speed limits. Win said he would like to get a blinking speed limit sign and suggested cost sharing with Reading if they're interested.

- 14) Event application: McPherson wedding on October 14, from 9:00 AM until 6:00 PM at 84 Old Barn Lane (Odden property) – Win said the applicant has indicated that overflow parking will be at Leland's and has paid the fee. **Win moved to approve the application. Brett seconded the motion, which passed unanimously.**
- 15) Highway Foreman's report – Grants-in-Aid project: Mike said the Highway Department started the Duling Road-Rush Meadow project today. Winter sand: The crew is still hauling winter sand. Better Roads grant: Mike said he wants to get together with Win to go over capital projects because he'd like to propose a Better Roads project for Blood Hill Road. Bible Hill culvert: Win noted that we got a timeline from Chris Bump for District 4's survey and design work and asked Martha to share the information with the abutting property owners. Silver Hill grant report: Mike said we got our last invoice so we can finalize and submit the report. Interviews: Mike said there are two interviews set up for October 2nd. Mike asked when we should notify the applicants that we're not interviewing. Win said if Mike would not consider hiring them, we should let them know now. Brett agreed.
- 16) Consider signing road salt contract – Mike recommended signing the proposal from Cargill and initialing for 100 tons of Clear Lane, which makes salt work at lower temperatures. **Win moved to authorize Mike Spackman to sign the Cargill contract. Brett seconded the motion, which passed unanimously.**
- 17) Consider signing authorization for GMP to relocate underground power line on Harrington Road – Tom asked if they're going to bore under the road. Mike said yes. **Win moved to approve the application by GMP to relocate underground power lines on Harrington Road. Brett seconded the motion, which passed unanimously.**
- 18) Consider request to work in Cowshed Trail right-of-way – Win asked if this is related to the work EC Fiber is doing. Mike said yes. Win said he has no objection. Mike said he is okay with it as long as it's subject to the same conditions as in the past. **Win moved to approve the request subject to the conditions of previous road crossings. Brett seconded the motion, which passed unanimously.** Mike said, in the future, he would appreciate a phone call in advance. Kimball Farm Road: Mike said all the existing power lines on Kimball Farm Road, after the second farm, are buried way out in the field. Mike said he wants EC Fiber to put their line in that existing right-of-way. Win said Mike should respond to EC Fiber with whatever conditions he feels are appropriate.
- 19) Water system update – Consider proposal for cleaning/inspecting Reservoir #1: Win said Liquid Engineering may not be able to get the work done this fall but, if not, they'll do it in

the spring for the same price. Win said, according to our Water Operator, it needs to be done but whether it's done in the fall or the spring is immaterial. Martha said the proposal they sent us was between Liquid Engineering and Ascutney Mountain Resort so she has asked them to revise it. **Win moved to approve signing the contract with Liquid Engineering for the cleaning and inspection of Reservoir #1. Brett seconded the motion, which passed unanimously.** Consider signing engineering services agreement with A+E for hydraulic study and long-range plan: Win asked if this is for A+E's work on the grant and the loan. Martha said this is just for the loan-funded work. Win noted that this work is required by the state. **Win moved to approve signing the agreement. Brett seconded the motion, which passed unanimously.**

- 20) Fire-proof file cabinets – Martha gave Win a price quote from Staples. Win said if the cabinets were in the meeting room, they would be more accessible to lawyers and to the Zoning Administrator. Tom asked if they're lockable. Martha said yes. There was discussion about possible locations for the cabinets. Martha and Deb agreed to come up with a proposal on which cabinets to purchase and where to put them.
- 21) Sewer project update – Easement: Martha noted that the town needs an easement for the second service line at the back of the property across the street. The original plans did not call for a service line in that location but, at the last minute, the engineer and the contractor decided to put one in. Martha said we have the legal language but we need a drawing from A+E. Total project cost: Martha said she and Jason are still working on incorporating the pollution abatement grant eligible costs into the total project cost document. Sewer ordinance: Win said he and Matt Birmingham met with the attorney for the property owners regarding the reconstitution of the advisory committee and the modified ordinances, so the ball is in their court.
- 22) Other Business – Water pressure at Library: Tom said when the well was put in, the only buildings that were connected were the school, the church and the town hall, and eventually the parsonage, but now we've added on and whenever someone flushes the toilet the sprinkler stops. Tom said he will check with the school to see if they can boost the pressure. Clock inspection: Tom said the inspection went really well. Town Hall maintenance: Tom said there are a number of little jobs that need to be done and he'd like authorization to do them. Win and Brett agreed that Tom should proceed. Tom asked about having the windows washed. Win said Tom should see what funds are available in the budget. Tree pruning: Win said he talked with Scott Danyew and he will prune the tree in late winter. School maintenance: Mike said the highway department was taken to task for not fixing the paving problem at the school but it's not their job to maintain the school grounds.
- 23) Approve Minutes – September 11th and 12th: **Win moved to approve the minutes as written. Brett seconded the motion, which passed unanimously.**
- 24) Adjourn – The Selectboard adjourned by consensus at 8:16 PM.

Respectfully submitted,

Martha Harrison