

WEST WINDSOR SELECTBOARD

Draft Minutes
September 13, 2010

Present: Glenn Seward, Tom Kenyon, Bruce Boedtke, Dennis Lemire, Phil Arvidson, Cathy Archibald, Mike Silverman, Bill & Sylvia Young, Cathy Boedtke, Erik Boedtke, Jim Kenyon, Ted Siegler, Mike Spackman, Mark Nowlan, Jim Lyall, Claudia Sacuk, Philip Lynch, Laura Stillson, Dennis Conley, Martha Harrison

- 1) Call to Order – Selectboard Chair Glenn Seward called the meeting to order at 6:30 PM.
- 2) Changes or Additions – Selectboard’s bid policy
- 3) Public Comment – Phil Arvidson asked for an update on the Resort status. Glenn said the Selectboard met with Chris Dugan and Todd Enright last Friday to discuss delinquent taxes and to get a status report. Glenn said a title search is being done and they are actively pursuing buyers for the Resort, as a whole. Phil said there might be an opportunity to buy sensitive land up there and he thinks the possibilities should be explored. Glenn said he did have a general discussion with Todd Enright in regards to buying property, specifically Mile Long Field. Glenn said there is some interest in that. Glenn said he has also spoken with Town Attorney Matt Birmingham and Genie McIntire from the Upper Valley Land Trust in that regard but nothing can happen without town-wide approval. Ted Siegler said he is not an advocate of the town taking over and running the ski area, but he is concerned about the impact on the view of rusting chairlifts and brush. Ted said he agrees that the town should investigate acquiring some of the ski area land, possibly with a tax-exempt bond issue. Ted said he thinks the Selectboard should be proactive on this. Glenn said Todd inquired about the zoning restrictions on Mile Long Field. Glenn said he told Todd that Mile Long Field is not worth a lot because of the zoning restrictions. Glenn said Todd is going to think about how to come up with a value for Mile Long Field. Ted said it might be worthwhile to get an appraisal by a commercial real estate appraiser and also to talk to someone at the municipal bond bank. Phil said he thinks the Vermont Land Trust should have tax attorneys who might be able to structure a deal; a combination of a tax-advantageous donation by the landowner and a purchase by the town. Glenn said the Upper Valley Land Trust mentioned that possibility, and also mentioned funding from the Vermont Housing and Conservation Board, which is a rather lengthy process. Ted said the town has experience with the Housing and Conservation Board in purchasing the development rights to the Ascutney Basin property and the Armstrong property. Ted said at the time plans were developed to purchase additional development rights in the view shed. Glenn asked where this plan is. Ted said it’s in the grant application for the Ascutney Basin project. Ted said if Martha can’t find it in the files, he can probably help. Ted said the goal was to protect the basin, acquire public rights-of-way to all the trails and then begin to acquire the view shed around the mountain. Cathy Boedtke said one of the primary functions of the Vermont Land Trust is to help communities acquire land that can be attached to the town’s existing town forest. Glenn said he will contact the Vermont Land Trust.
- 4) Town Clerk/Treasurer’s Report – Cathy Archibald asked the Selectboard to sign a document giving her permission to collect current taxes. Cathy also had a liquor license for the Selectboard to consider at the end of the meeting, along with her orders.
- 5) Vermont 50 Mountain Bike & Ultra Run update - Mike Silverman said the event will start at the Cunningham parking lot, under tents. Mike said they might need to use the upstairs portion of the town hall if it’s available.
- 6) Highway access application: Philip Lynch – Philip Lynch was not present. Tom said the brush on the east side of the access needs to be cut back. Glenn agreed. Mike asked about the required distance from the property line. Glenn said the required distance is 10 feet. **Tom made a motion to grant initial approval for an agricultural access on Sky Hawk Lane to Philip Lynch of 586 Ski Tow**

Road. Glenn seconded the motion. Mike recommended a 15” culvert, at least 20 feet in length. **The motion passed unanimously.**

- 7) Town Constable/Delinquent Tax Collector’s Report – The Constable was not present. Regarding delinquent taxes, Glenn said he had a preliminary discussion with Nick Decoto of Berkshire Bank. Glenn said he told Mr. Decoto that we have a couple of legal opinions that support the fact that the mortgage might be extinguished on tax sale, which got his attention. Tom said that Constable Johnson mentioned to him this morning that several people are letting their dogs run and they need to keep them leashed or under control.
- 8) Highway Foreman’s Report – Mower: Mike said he has tentatively scheduled the mower for the same time next year. Silver Hill Bridge: Mike said we have a hydraulic report for the Silver Hill Bridge and we have faxed it to Miller Construction and Daniels Construction to get bids. Glenn said he emailed Patrick Ross about getting a stream alteration permit and attached the hydraulic report, but he has not heard back from him. Mike said he’s not sure if we need a structural engineer or not but we have time to let Mike Hedges run through a preliminary review and see if it’s alright. Tom asked if this project is going to be done in 2011. Glenn said Patrick Ross said to plan on doing it next year. Mike said we’ll have price estimates before it’s time to put together the 2011 budget. Mike said the town’s match requirement is 10% because we have codes and standards. Tom asked about Form TA-65. Martha said the town sends in Form TA-65 when the project is finished. Brook Road Project: Mike said the Brook Road project is complete. Best Management Practices (BMPs): Mike said the BMPs have been loosened up a little and each town should get a review copy soon. Bruce asked how much time towns will have to review the BMPs. Mike said he thinks towns will have 60 days for review. Ditching: Mike said the Highway Department will start ditching later this week or next week, and fall scraping is in process.
- 9) Town Highway structures grant: Silver Hill Bridge – This item was discussed under the Highway Foreman’s report.
- 10) Town website update – Cathy Boedtke said there are four members of this ad hoc committee: herself, Martha Harrison, Dave Halpert and Raina White. Dave and Raina have looked at our website and feel that it has sufficient potential for what we want to do. Cathy said the committee has developed a website operations policy, which she distributed to the Selectboard. Cathy pointed out the highlights of the policy. Cathy said the committee agreed to list businesses located in West Windsor, upon request. Cathy said the committee would like to add a calendar and notices (e.g. regarding dog licenses, hazardous waste day) to the home page. Cathy said the website also has the capability to handle mass email. Cathy said the committee will meet again in early October. Cathy said once the Selectboard appoints a webmaster, the webmaster can authorize other people to assist with the website. Glenn said the Selectboard will consider the proposed policy at their next meeting. Tom said some businesses not located in West Windsor do a lot of business in town. Cathy said businesses would have to submit a request to the webmaster and, if the webmaster is unsure if the business qualifies, s/he can refer the request to the Selectboard. Cathy said the committee has no problem listing Mt. Ascutney Hospital or Golden Cross Ambulance but they don’t want to include Harpoon Brewery so they decided to limit business listings to those located in West Windsor. Bruce suggested amending the policy to allow business listings approved by the Selectboard. Tom said he would be in favor of that. Martha said she is comfortable with being the webmaster but she doesn’t have as much experience with all the bells and whistles as Dave and Raina. Martha said she’s hoping someone will volunteer to maintain the calendar of events.
- 11) Town Forest interim policy discussion – Tom said he wants it to be clear that the Town Forest Committee needs to be made aware of what people are doing. Glenn reminded everyone that the Selectboard has drafted interim policies because there are currently no policies and the Selectboard felt that there should be policies in place while the town is soliciting public input and coming up with a new management plan. Glenn read the first Interim Town Forest Policy, “All motorized vehicles (with the exception of snowmobiles) are prohibited beyond the existing parking lot. Fire/Rescue vehicles allowed. ATVs for trail maintenance allowed with permission of the Selectboard (SB) after

consultation with the Town Forest Committee (TFC).” Dennis Lemire said he would like to ride his ATV in the West Windsor Town Forest. Laura Stillson said the Town Forest Committee believes that there should be multiple uses allowed in the Town Forest. Laura added that she is concerned about certain uses above certain elevations and thinks ATV use should be discussed in a public forum. Glenn reminded everyone that the proposed policies are only for an interim period of time. Glenn agreed that, ultimately, the town forest should be multi-use and that ATVs should be allowed in certain areas. Glenn read the second policy, “All gates to remain closed.” Cathy asked who has keys to the gate. Jim said there is a key at the fire department. Mike has one also. Mike said there is one at the town office as well. Glenn said he will check to see if Ralph has one. Glenn read the third policy, “Harvesting of firewood prohibited until a new forest management plan is in place.” There were no comments. Glenn read the fourth policy, “All new trail work is to be approved by the Selectboard after consultation with the TFC prior to construction. Trail maintenance activities are allowed with town forest committee approval.” Jim Kenyon asked if the town forest committee will maintain the waterbars. Mark Nowlan said the committee doesn’t do any maintenance. Glenn said this will have to be addressed in the management plan so these things don’t fall through the cracks. Mark Nowlan said Randy Perry is on the TFC and he has done some work on the approach to the parking lot. Bill Young said he would like to be able to ride his 4-wheeler in the town forest. Dennis Conley said he would also. Tom said the TFC may have to come up with a schedule for trail inspection and maintenance. Jim Lyall said if there is a tree down or a section of trail washing out, should the work to correct the situation be approved by the committee first. Glenn suggested using common sense; if there’s a tree down, obviously it’s got to be cut up, but if a section of trail is washed out, that would be worthy of a phone call to the TFC. Cathy said currently the TFC doesn’t do any maintenance; all of the maintenance is done by Sports Trails of the Ascutney Basin (STAB). Cathy said if the TFC is going to be responsible for all the trails then they’ll have to figure out how to handle that. Glenn said with increased use, there’s going to be increased maintenance so that will have to get figured out. Bruce suggested that the TFC be notified only if the maintenance involves earth disturbance. Glenn said he has no problem with that. Glenn read the fifth policy, “Target practice with firearms or archery equipment prohibited until a new town forest plan is in place.” Dennis Conley said there were people shooting out there a couple of weeks ago. Mark said, “People are going to hunt there, right?” Glenn said yes. Glenn said if we’re going to allow target practice in the sand pit, there ought to be some safety zone signs. Glenn read the sixth policy, “Large (20 or more) organized trail events by permission of the Selectboard after consultation with the TFC.” There were no comments. Glenn read the seventh policy, “Large gatherings (100 or more) must have a public gathering permit issued by the Selectboard.” There were no comments. Glenn read the last policy, “Fires (or any open flames) are not allowed.” Tom said he assumes that includes fireworks. Martha asked if the policies are going to explicitly state that hunting is allowed. The Selectboard agreed to add “Hunting is allowed.” Dennis Lemire asked when permanent policies will be established. Glenn said he would like them to be in place by spring. Bruce said he would like to see a couple of public meetings in November and December and, if we need to, we can leave it up to the voters. Glenn said he thinks the town needs to get a survey of the town forest prior to getting a forester to update the management plan. Dennis said the initial principle use of the forest was recreational. Tom said we don’t know the location of the line between the town forest and the resort. Tom added that the southern boundary isn’t a straight line in some places. Dennis Lemire said he believes there is a survey for the 7 acres sold to the resort by the town. Dennis said there is a survey of the easement granted by Marie Johnson. Glenn said Kenny Burke is going to help figure this out. Laura said on the west side (of the Resort property) the orange survey markers go down to the lower lift. Laura said the boundary between the state property and the town property is very clear. Glenn said the Selectboard is hoping to do a gps survey and then enlist some volunteers to mark the boundaries this fall. Cathy asked how the interim policies will be disseminated to the community and how the policies will be policed. Glenn said the policies are going to have to be “self-policing.” Glenn said the policies should be posted around town, in the paper, and on the town website. Mark suggested putting a kiosk in the town forest. Cathy Boedtger said the road

going to the Bicentennial parking lot is on town property but the town doesn't maintain that road and it has been pretty washed out for the past few years. Glenn said that's going to have to be part of the plan and we'll have to budget for that next year. Dennis Lemire suggested that the town crew do a little maintenance on the road. Mike said the town replaced the culvert a few years ago and put gravel on it about fifteen years ago. Bruce said it needs a waterbar in the steep section. Tom suggested scheduling a public forum on the town forest for November at the next Selectboard meeting. Bruce and Glenn agreed. Glenn suggested that the highway department do some minor maintenance on the road up to the town forest. Erik Boedtke asked if the final town forest policy will be something that the town will vote on. Glenn said the Selectboard is hoping to get an idea of public opinion at the forum in November and then they can go ahead with professional consultants and get a plan in place. Glenn said the plan will certainly be up for review and, if it's controversial, we can put it up for a vote. Tom said if the voters adopt it, then every time you change it, you have to put the changes to a vote. Bruce said nobody's encouraging that. Glenn said there will be ample opportunity for public input. Cathy said she is concerned about the snowmobile language because it implies that everybody can ride their snowmobiles wherever they want. The Selectboard agreed to modify the first policy to specify "(with the exception of snowmobiles on the existing snowmobile trail)."

Dennis Lemire said every year, for several years, the chairman of the landowners association on the mountain would call him and want association members to be able to get off the mountain and onto the VAST system with their snowmobiles. Dennis said that issue may come up again sometime. With the changes and additions discussed, **Tom made a motion to adopt the interim town forest policies. Bruce seconded the motion.** Tom said he made the motion with the understanding that in October we will warn a public hearing for November to further consider the policies. **The motion passed unanimously.**

- 12) Discuss candidates for expanded Town Forest Committee – Glenn said the Selectboard met with the Town Forest Committee last week and, given the task ahead of them, they requested an expanded committee rather than a "friends of" group. Glenn said the Selectboard agreed to add four new members to the Town Forest Committee and they are actively seeking candidates. Glenn said Dennis Lemire and Jim Lyall are interested. Mark said Laura Stillson is also interested. Cathy Boedtke said the Selectboard should make it public that there are openings on the Town Forest Committee. Glenn and Bruce agreed. Mark said the next Town Forest Committee meeting is Wednesday, November 3rd. Glenn said the Selectboard will post a notice that they are looking for additional committee members and appoint the new members at their October meeting. The Selectboard agreed to meet on Tuesday, October 5th.
- 13) Discuss Town Forest plan and survey schedule – Tom said if we have the town forest surveyed this fall, are we going to have enough time to get the plan done. Bruce said the RFP for the survey work, and a list of people to send the RFP to, should be prepared for consideration at the October 5th meeting. Bruce said the Selectboard will have to have a special meeting a week to ten days after October 5th to consider the proposals. Bruce said the survey work should start as soon as the leaves are off the trees. Glenn said Bruce has agreed to give Kenny a hand with the RFP. Dennis said the upper portion of the town forest is "no man's land." Bruce said you can't do a plan without knowing where the boundaries are.
- 14) Wastewater Committee Report – Glenn said the Wastewater Committee has contacted other towns who have conducted feasibility studies so they have a good sense of what to do when soliciting public input. Glenn said the next step is to identify landowners who might be affected and seek their input at a public meeting. Glenn said the committee would then draft a proposal based on input from that meeting and submit it to the Selectboard with a recommendation on whether or not to proceed with a feasibility study. Glenn said Win Johnson and Elvin Kaplan are preparing an RFP for review on September 16th. Glenn said there's going to have to be an evaluation of the sewer line before taking for granted that the town can hook up to it. Glenn said the Wastewater Committee is aware of the discussions regarding the possible formation of a fire district. Glenn said the committee agreed that if problems are discovered on individual properties, those properties will not be specifically identified

in the plan. Glenn said the committee plans to make a presentation to the Selectboard no later than October 31st.

- 15) Stream bank stabilization project – Tom said after meeting with Marie Caduto and reviewing her recommendations, he thinks the Selectboard should proceed with their original plan. Tom suggested considering the “rock vein” idea if the original plan doesn’t work. **Glenn made a motion to proceed with the original plan and table Marie Caduto’s plan until spring. Tom seconded the motion, which passed unanimously.** Martha asked if the town is not going to pursue a clean and clear grant for the project. Glenn said yes, we will not pursue a grant. Tom and Bruce agreed.
- 16) Update on Town Hall projects – Town Hall windows: Tom said the painting is complete, and everything is in place to have the new energy-efficient windows installed in a few weeks. ADA sidewalk: Tom said the concrete is in place and Jerry Ouelette will be installing railings on both sides. Tom asked if the Selectboard wants to do the plantings now or in the spring. The Selectboard agreed to do the plantings in the spring. Electrical outlet: Dennis Lemire asked if an outlet could be installed near Martha’s new office. Glenn said the Selectboard will take the request under advisement. Spruce trees: Jim asked if the Selectboard would consider doing something about the three spruce trees on town hall property. Tom said the one next to the drain should come out. The Selectboard agreed to take a look at them. New office space: Tom said the electrical work on the new office space was more expensive than anticipated (\$1,600+) because of the knob and spool configuration.
- 17) Library Projects 2011 – Tom said the blacktop around the library has shrunk, so water is getting in, and the slate roof leaks. Tom said he is trying to find out what a new roof would cost. Tom reported that the trustees are very pleased with Librarian Tony Pikramenos and that many more people are using the library.
- 18) Regional All Hazards Mitigation Plan update – Jim said he talked to John Broker-Campbell about the plan and West Windsor is all up-to-date. With regard to the pumps in the pump station, Glenn said, he has a call into Dave Wilcox at CVPS to find out how much it’s going to cost when we push the button. Jim asked Glenn if he has talked to John Plausteiner yet. Glenn said no, but he will. Jim said he’d like to talk to Todd Enright about what the fire department can and can’t do with regards to the pumps. Glenn said the Selectboard met with Todd Enright and Chris Dugan on Friday and they said go ahead and make inquiries as to how we can get them fired up and tested. Glenn said Todd and Chris gave the town permission to do anything necessary. Bruce asked if we can get a “hold harmless” agreement in case we turn it on and pipes start breaking. Mike said there are already broken pipes. Glenn said we need to talk to John Plausteiner because he knows more about it than anybody. Jim said he would like written permission.
- 19) Correspondence: Merle Bushkin, Jack Schofield, and Bob Joyal – Glenn said all three letters express the authors’ admiration for Ashley Pakenham’s expertise in trail maintenance and their displeasure with Act 178. All three request that the Selectboard drop the ancient roads issue. Tom suggested noting the dates of the letters for the record. Merle Bushkin’s letter is dated August 10, 2010. Jack Schofield’s undated letter was received on August 16, 2010. Bob Joyal’s undated letter was received on August 17, 2010. Tom said that, in Hartland, some property owners are closing their property due to the ancient roads issue.
- 20) Other Business - Liquor license for the Vermont 50 race: **Glenn made a motion to approve the liquor license application for the Vermont 50’s caterer (Permit #6752-001-CATR-01). Bruce seconded the motion, which passed unanimously.** Bid policy: Tom said he received some information from the Secretary of State indicating that Selectboards are not required by law to put things out to bid. Tom said the present policy of West Windsor’s Selectboard is that, for things that are under \$15,000, the Selectboard decides whether they need to be put out to bid or not, and generally for anything over \$15,000, the Selectboard does decide to put things out to bid. Tom asked the board to reaffirm this policy. Glenn said, for the record, he thinks it’s a good policy and the Selectboard should do everything in its power to support local businesses. **Tom made a motion to put that in the record. Bruce seconded the motion, which passed unanimously.** Satellite dish:

Cathy said somebody called to ask about buying the town's satellite dish. The Selectboard authorized Cathy to negotiate a price and sell the dish.

- 21) Next regular meeting – Tuesday, October 5th at 6:30 PM
- 22) Minutes - August 4, 2010: **Tom made a motion to approve the minutes of August 4, 2010 as written. Bruce seconded the motion, which passed unanimously.** August 6, 2010: **Tom made a motion to approve the minutes of August 6, 2010, as amended. Glenn seconded the motion, which passed unanimously.** August 9, 2010: **Tom made a motion to approve the minutes of August 9, 2010 as written. Bruce seconded the motion, which passed unanimously.** August 11, 2010: **Tom made a motion to approve the minutes of August 11, 2010, as written. Glenn seconded the motion, which passed unanimously.** August 13, 2010: **Bruce made a motion to approve the minutes of August 13, 2010, as written. Tom seconded the motion, which passed unanimously.**
- 23) Adjourn – **Glenn moved to adjourn at 8:30 PM. Tom seconded the motion, which passed unanimously.**

Respectfully submitted,

Martha Harrison