

WEST WINDSOR SELECTBOARD

Minutes

December 23, 2010

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

- 1) Call to Order – Selectboard Chair Glenn Seward called the meeting to order at 2:05 PM.
- 2) Other Business – Pakenham agreement: Dennis asked if the “road” on Ashley’s property is a Class 4 road. Glenn said it has not been established that it is a road. Dennis asked if there are any records showing that the town threw up the road. Glenn said he is not aware of any such records. Glenn said there is some indication that there was a road through there but the location is in dispute. Tom said at best it has been maintained as a trail; there is no record of the town spending any money on it in recent times. Dennis said if it was a legally laid out road and never legally thrown up, then wouldn’t it still be a class 4 road whether money was spent on it or not. Glenn said it’s not clear; there is a question as to whether a width was ever established which is required for a road. Dennis said the license agreement charges the Selectboard to do away with the road. Tom said he thinks it’s being treated as an ancient road. Dennis said he thinks an ancient road and a class 4 road are the same thing. Glenn said one question is, “How are we going to discontinue something if we’re not sure it’s there?” Glenn said he thinks the Selectboard would have to establish that there is an ancient/Class 4 road in order for a discontinuance proceeding to take place. Glenn said someone would have to convince him beyond a reasonable doubt that there is a road there. Glenn said one of the requirements for discontinuance is for the Selectboard to hold a public hearing and a site visit to examine the area to be thrown up and if they don’t know where it is, that’s difficult. Glenn said he has been talking to Matt about how to handle this. Glenn said the road in question has never been on the highway map and he believes that all class 4 roads are on the highway map. Tom said the Selectboard signs off on the highway map annually. Dennis said if someone were to get a petition against throwing up the road then the Selectboard has to go through a warning process and it goes to a town vote. Glenn said he’s not aware of the procedure. Dennis said he has no intention of getting a petition together but, as a result, the snowmobile club is liable to lose some trails. Glenn said the Town Attorney has not clarified the process for the Selectboard yet. Glenn said he thinks in order for there to be a valid petition, the Selectboard would have to agree that there’s a road there. Glenn said there is some indication that a major portion of the road was on the Lustberg property. Dennis asked how long this process is going to take. Glenn said he doesn’t know but he asks Matt about it every time he talks to him. Glenn said as soon as he knows what the procedure is, he will make it public. Dennis took the original Bernatchez easement agreements to get them signed by Josie and notarized by Cathy.
- 3) 2011 Town & Highway Budgets – The Selectboard reviewed, line by line, a draft of the 2011 town operating budget with Town Clerk/Treasurer Cathy Archibald. Glenn noted that Town Clerk fees total \$67,453, which is incredible, and complimented Cathy for her efforts. Regarding the Emergency Management line item, Cathy said she paid Jim \$2,000 last year and \$3,000 was budgeted for this year but she can’t find her notes on the amount the town agreed to pay him. Tom said that, according to Jim, he is supposed to be paid \$2,000 and \$1,000 is for expenses. The Selectboard budgeted \$3,000 again for 2011 with \$2,000 to be paid to Jim and \$1,000 for expenses. Regarding the Conservation Commission’s budget, Glenn said Ted Siegler has requested that the Commission’s operating budget be reduced from \$4,000 to \$2,000 and that the \$2,000 reduction be used to create a line item for a Conservation Fund to be used for purchasing land or easements. Tom asked about the name of the Fund established when the town sold land to the Resort. Cathy said it’s under “Planning and Conservation Fund” in the Town Report. Cathy said she can just change the name of the fund to “Conservation Fund.” Glenn said he has no

problem with that because it's his understanding that the proceeds from that land sale should be used for property acquisition. Glenn said that, in the future, the ancient road grant expenses for the survey need to come out of the operating expenses of the Conservation Commission because if we're going to earmark the Conservation Fund for land/easement purchases, we're not going to be able to use that money for the survey on ancient roads, for example. The Selectboard agreed to budget \$2,000 in operating funds for the Conservation Commission and to create a Conservation Fund line item with an additional \$2,000 to be added to the Conservation Fund, similar to how paving money is added to the Paving Fund. The Selectboard reduced the Listers Fund contribution from \$15,000 to \$7,500. The Selectboard reviewed the requests for funding from non-profit organizations that serve the community, including a request for \$1,000 from the Red Cross. Cathy said the town also received a request to increase the veteran's exemption. Cathy said the Windsor Connection Resource Center (WCRC) is now the Mt. Ascutney Prevention Partnership (MAPP) so we can drop the WCRC. Tom asked if we got a letter from the WCRC. Cathy said no, so we can drop them and put MAPP on as a new article. The Selectboard agreed. The Selectboard decided to deny the Red Cross's request. Tom said the veteran's exemption should be addressed at the state level because it affects the state more than the town. Glenn agreed. Tom said the library needs a new roof; the existing roof is 110 years old. Tom presented a proposed article on the library roof at an earlier meeting. Regarding the town forest, Glenn said the Town Forest Committee would like the \$2,500 used for the town forest survey restored to their fund and they would also like \$5,200 to hire a forester and \$8,000 for the regional planning commission to assist with the forest management plan. Glenn asked if the Selectboard would like to include a separate article in the warning for town forest committee expenses totaling \$15,700. Tom said he would rather put \$20,000 in the Town Forest Fund so the committee won't come back and ask for more money next year. Martha said once you have the plan in place, it will include a budget for tree removal, etc. Glenn agreed but said the Selectboard can consider that next year after the plan is finished. Mike said logging a portion of the town forest could provide revenue. Glenn said his sense is that logging would only be done to improve wildlife habitat. Tom said some of the trees might be worth a lot of money. The Selectboard agreed to present an article requesting \$20,000 for town forest committee projects.

- 4) Other Business – Next meeting: The Selectboard agreed to meet on Wednesday, January 5th at 7:30 AM for final review and adoption of the budget. Salt Shed: Mike said one more thing to think about is a new salt shed. Better Backroads grant: **Glenn made a motion to sign the VT Agency of Transportation Better Backroads formal agreement dated December 17, 2010 for slope stabilization on Sheddsville Road. Tom seconded the motion, which passed.**
- 5) Adjourn – **Glenn moved to adjourn at 3:27 PM. Tom seconded the motion, which passed.**

Respectfully submitted,

Martha Harrison