

## WEST WINDSOR SELECTBOARD

Draft Minutes  
October 1, 2014

Present: Glenn Seward, Tom Kenyon, Bruce Boedtger, Kate Wanner (Trust for Public Land), Barbara Truex, Bob French, Bob Joyal, Ron Hammond, Jared Beerman, Pat Deslandes, Jack Deslandes, Scott Hammond, Chris Nesbitt, Tom Urban, Jan Swallow, Ron Young, R. Thompson, Barbara Matteson, Wayne Yordy, Heather Smith, Judith Fitzpatrick, Jim Bertrand, Shelley Seward, Matt Birmingham, Nancy Ross, Ralph Bailey, Betty Welles, Carl Prentice, Gaynor Coassin, Loretta Smith, Dan Lesnick, Shirley Ouelette, Jerry Ouelette, Mary Whiting, Arthur Whiting, Paul Hoisington, Jim Lyall, Laura Stillson, Mary Anne Roberts, George Roberts, Edson Pierce, Susan Hines, Sylvia Young, Dennis Lemire, Jennifer Rathburn, W. Tobias, Nancy Loux, John McNamara, Jan Schreiber, Joel Schreiber, Jill Delaney, David Schoen, Virginia Schoen, Alice Bradeen, Bill Ley, Stephanie Suter, Stephen Marcus, Mark Nowlan, Ken Parrot, Colin McKaig, Laura Page, Richard Beatty, Emily Lather, Mary Dalton, Meg Clough, Ray Shannis, Lynda Shannis, Jeanie McIntyre, Jen Brown, Bill Brown, Heather Hoyns, Don Burke, Betty Burke, Len Clough, James Stacey, James Axten, Emerson Hoisington, Mike McIntire, Sandra Waugh, Robert Burch, Bill Young, Mike Silverman, Courtney McKaig, Erik Schutz, Dana Waters, Paula Waters, Joan Seward, Steve Bodley, Robert Morgan, John Mudge

Town Moderator Matt Birmingham called the meeting to order and read the warning for the Special Town Meeting to be held on October 14<sup>th</sup> at 6:30 PM at Story Memorial Hall. Selectboard Chair Glenn Seward spoke about the current challenges facing the resort and the town and the Selectboard's proposal to improve the situation for everyone. Glenn also noted that it has been suggested by some that he has a conflict of interest because he lives at the resort. Glenn said if the plan to attract visitors to the trail system is successful, he will have many more people using his property, which he does not see as a personal benefit; it will, however, benefit the town as a whole. Glenn added that each Selectboard member only has one vote on October 14<sup>th</sup>. Planning Commission Chair Barbara Truex conveyed the Planning Commission's unanimous support for this proposal. Barbara said the Planning Commission has spent many years studying the impact of the ski area closure on the town's economy and the potential for reviving the economy by protecting and promoting the recreational trail system. Laura Stillson and Jim Lyall presented a video about Mt. Ascutney and what it means to West Windsor. Kate Wanner from the Trust for Public Land (TPL) spoke about TPL's mission and TPL's role in the town's attempt to acquire the portion of the mountain currently owned by MFW Associates in order to protect public access for recreation. Kate described the property proposed for acquisition and the potential health and economic benefits to the town. Kate described TPL's fundraising plans, which include a \$50,000 contribution from the town toward the purchase price, \$55,000 for acquisition costs, and the donation of a conservation easement on the town forest. The remaining funds would come from state and federal grants and private donations. Kate said a forest management plan needs to be done this fall in connection with the application for federal funds. Matt noted the handouts available at the back of the hall. Meg Clough questioned the comparison of our trail system to Kingdom Trails. Meg also asked if residents are going to have to pay to use the trails and wondered if the town has adequate liability insurance to cover the acquisition. Meg asked if the Selectboard is going to ask the voters to increase their annual contribution to the Conservation Fund. Meg said she thinks the water system users should buy

the water system. Glenn spoke about the advantages that West Windsor has relative to Kingdom Trails. Glenn said the town needs to facilitate some activity to boost property values and reduce the tax rate; the town needs an attraction to take the place of the ski area. Glenn agreed that the base lodge needs work in the long-run but only needs minor roof repairs in the short term. Glenn said if the town does not control the base lodge, who knows what will happen with it. Last week, Glenn said, he had a conversation with someone who wants to put a substance abuse treatment facility there. Although there's nothing wrong with that, Glenn said, it doesn't really fit in with the town's vision. Glenn said he envisions the base lodge ultimately being transferred to a non-profit organization for uses compatible with the trail system. Glenn said it can be refurbished using grants and donations, with no increase in taxes. Glenn said taking this property off the tax rolls only reduces municipal property tax revenue by \$3,500. Glenn said he thinks the people who use the trail system understand that there are costs associated with maintaining it and will not object to a "pay to play" fee. In terms of liability, Glenn said, charging a fee has not had a negative impact on other trail systems. Regarding the remaining chairlift, which the owner is willing to give to the town, Glenn said it does need work but that work can be done by a co-op organization with no expense to the town. Glenn noted that there are other self-sufficient co-op ski areas in the state of Vermont. If we don't do something, Glenn said, our taxes are going to continue to rise. Glenn said the Selectboard is open to alternatives if anyone would like to suggest something. Regarding the water system, Glenn said it serves 140 homes and has enough capacity to serve the entire village if we ever need it to. Glenn said it's only going to cost the town \$1 to acquire the water system and the system users will cover all associated costs for repairs, maintenance, and operations. Tom Urban said the warning asks if the town will acquire the lodge, the water system and Hotel Road for \$1 "and other considerations." Tom questioned what is included in "other considerations." Tom asked if the water system includes the wells. Glenn said yes. Regarding "other considerations," Glenn explained that there are outstanding receivables associated with the water system which the town will collect; a portion of the receivables will be retained by the town and a portion will go to the current owner. Glenn said there are no "other considerations" associated with Hotel Road. Tom asked who is paying the sewer fees on the base lodge right now. Glenn said it is disconnected from the sewer system right now, so no one is paying fees. Len Clough asked where the funds for the purchase are going to come from. Len also questioned the suggestion that the current landowner may clear cut the property. Kate said a property owner can cut 40 acres without permits from the state but can cut more with state permits. Kate said there are restrictions on cutting above a certain elevation but the owner has mentioned timber harvesting quite frequently. Glenn agreed with Kate's statement and said if we don't acquire the property, the owner has indicated his interest in putting it in current use and recouping as much of his investment as possible through timber harvesting. Regarding the funds for the purchase, Glenn said there are approximately \$50,000 in the Conservation Fund right now; the bulk of that came from selling a small portion of the town forest to the resort for the quad chairlift terminal, in addition to regular contributions to the fund from the town. Glenn said the other \$55,000 would come from the Town Forest Fund and from surplus funds. Glenn said the town would not ask taxpayers to replenish the funds with contributions over and above what they typically contribute on a yearly basis. Glenn said the Selectboard understands the tax burden that everyone is under and wants to alleviate that burden. Mark Nowlan asked why it's a voice vote and not an Australian ballot vote. Glenn said the town has elected to conduct all its business from the floor, with the exception of bond votes, so we are obligated to have a voice vote. Mike McIntire asked Glenn to discuss the town's liability if

someone gets hurt using the trails. Glenn said the town has \$10 million of liability insurance but he thinks that would not come into play due to Vermont's liability law. Matt said, according to Vermont statute, if someone uses your land and you don't charge a fee, you're not going to get sued, and if you engage in a sport that involves risk, you assume the risk. Robert Morgan asked if you have to be present on the 14<sup>th</sup> in order to vote. Glenn said yes, you have to be present to vote. Bob Joyal asked if the purchase is contingent on all the funding being in place. Kate said TPL is responsible for raising all the money and is signing the option agreement with the owner; the town is not signing the agreement. Kate said TPL will not exercise the option if they don't know where all the funding is coming from. Kate said the town will not be responsible for any additional funding and will not commit any funds until TPL closes on the property. Bob asked how long the owner is willing to wait for TPL to raise the funds. Kate said the option agreement is through July of next year but if all the funds have not been raised by then, TPL is planning to buy and hold the property until they can raise the rest of the money needed; then they would transfer the property to the town. Jen Brown said she is really excited about the plan and thanked the Selectboard for putting it together. John Mudge from Lyme, NH said he can see Mt. Ascutney from the roof of his house. John said Ascutney is the jewel of the valley and he hopes West Windsor will preserve it. John spoke in favor of conservation easements and in favor of TPL. John said opportunities like this don't come along very often and he hopes the town will take advantage of it. Ralph Bailey from Orange Lake Resorts voiced support for the efforts of the Selectboard, the Planning Commission, and TPL and expressed appreciation for the video done by Laura and Jim. Ralph said the closing of the ski area has been a big challenge for Orange Lake but they are looking to the future and are planning to spend more than \$7 million upgrading the resort because they believe in this community. Robert Morgan asked Kate to clarify TPL's willingness to commit their own resources to this project. Kate said TPL is a national organization with a budget of \$120 million and they are willing to take reasonable risks. Kate said she thinks this is a fantastic project with diverse benefits to the community and the state, and she feels confident that TPL will be able to raise the money from federal, state and private sources.

Respectfully submitted,

Martha Harrison