

WEST WINDSOR SELECTBOARD

Draft Minutes

February 10, 2014

Present: Glenn Seward, Tom Kenyon, Bruce Boedtger, Mike Spackman, Dave & Tracey Dugdale, Deb Shearer, Steve Majeski, Mark Isenberg, Amy Yates, Mike Gannon, Heather Hoyns, Sue Greenall, Barbara Gerstner, George Calver (Vermont Standard), Bill Stillson, Jim Yates, Rob Mather, Gaynor Coassin, Julia Hutchinson O'Brien (VT 100), Eric & Teresa Bauernschmidt, Jim Lyall, Rudy Gross, Martha Harrison

- 1) Call to Order – Selectboard Chair Glenn Seward called the meeting to order at 6:30 PM.
- 2) Changes or Additions – discuss use of motorized vehicles for trail maintenance, discuss Ascutney Trails marketing effort, consider signing the Lustberg trail agreement, consider road and bridge weight restrictions, convene an executive session to discuss personnel matters
- 3) Sign Town Clerk's orders – **Tom moved to sign orders. Bruce seconded the motion, which passed unanimously.**
- 4) Town Clerk/Treasurer's Report - None
- 5) Public Comment - None
- 6) Application for Public Assembly: Vermont 100 race – Julia Hutchinson O'Brien was present to speak on behalf of the event. Julia said the organization is proposing changes to the traffic pattern to reduce the impact on neighbors. Julia said the event has been occurring for 25 years and has been in its current location for 10 years. Julia spoke about VT Adaptive Ski & Sports, which benefits from the funds raised by the event. Julia gave the Selectboard a copy of the revised traffic plan for the event. Glenn asked Martha if she is okay with the event from a zoning perspective. Martha said yes. Glenn asked if there will be fireworks this year. Julia said no. Glenn asked Julia to describe the setup activities. Julia described the activities, which begin on the Monday before the event and are minimal until Thursday, when the horses start to arrive. Julia said one of the event volunteers obtained signatures from the neighbors on Silver Hill Road indicating that they understand the new traffic plan and support the event. Glenn asked for a copy of that. Julia said the event begins on Friday morning. Heather said horses are supposed to arrive during daylight hours but occasionally, due to traffic delays, they arrive after dark. Glenn asked about lighting impacts on neighbors. Julia said the lighting is within the tents, except from 3:30 to 4:00 AM on race day when the starting banner is lit. Heather said Green Mountain Horse Association (GMHA) usually has a show the same weekend but the traffic associated with that event is primarily in South Woodstock. Julia said the event organizers are only allowing one "handler vehicle" per participant this year to reduce the amount of traffic. Julia said they are also planning to post volunteers at Reeves Road, Jenneville Road, and Kings Highway to keep everyone except residents off those roads. Julia said the Sheriff's Department will patrol the Silver Hill area and can be asked not to allow traffic onto Kings Highway. Bill Stillson said they hope "Local Traffic Only" signs will discourage non-residents from using the roads where they want to minimize traffic. Julia said volunteers will be posted to direct past participants to the new route. Glenn asked if event participants will have any kind of identification; a card for their dashboard, for example. Julia said she could mail them something like that. Glenn asked about communication plans. Rob Mather, the communications coordinator for the event, said he works with the Sheriff's Department, Hartford Dispatch, and 40 amateur radio operators along the route. Tom asked if the other towns on the route have signed off on the event. Julia said the event only uses the roadway in other towns so the permit process is minimal. Tom asked by what route emergency service vehicles will access the event site, if necessary. Julia said emergency vehicles would take the fastest route. Heather said in the past ambulances have used Silver Hill. Heather said Sue Greenall's barn is the treatment barn for horses in distress and there is no back entrance

to it so distressed horses would have to be taken there via Kings Highway. Dave Dugdale said a month ago it took 20 minutes for the ambulance to get to his house when the weather was good and the roads were clear. Dave asked how long it would take if the roads were clogged with event traffic. Tracey Dugdale said she was unable to respond to a family emergency last year during the event because the road was blocked by horses. Dave said he is in favor of the race and the cause that the race supports but he doesn't want to be locked in his house for three nights in July. Dave noted that the Town Plan says that commercial recreation activities should be directed to the resort area. Dave suggested an alternate location along Route 44. Tracey noted that the participants drive the route multiple times in advance of the race adding to the traffic problem. Tracey noted the cowbells every time someone crosses the finish line, even in the middle of the night, and the effect the noise has on them and their animals. Heather apologized for the horses in the road and said there were not supposed to be horses in the road at that location. Julia said they will ask the Sheriff to patrol that area more actively this year. Julia added that they discourage participants from coming early and driving the route. Julia said they have been looking for a different site for the event and mentioned the land behind the talc plant as a possibility in the future. Julia said the resort is not a good location due to the horses and the Route 44 site is floodplain. Tracey said the town's responsibility is to make sure no one gets hurt and the neighbors are not impacted. Julia said if they are barred from using the Silver Hill location, the event would either not happen, or would have to move out of town. Julia said a lot of local people support the event. A petition in favor of the event, with 152 signatures, was presented to the Selectboard. Teresa Bauerschmidt, a Silver Hill resident, spoke in favor of the event. Deb Shearer noted that event participants do stay at the resort so the event has a positive impact on the local economy. Brownsville General Store owner Amy Yates said the VT 100 weekend is the store's best weekend of the year. Glenn asked the Dugdales how they feel about trying it this year with the alternate traffic route and the attempts to mitigate their concerns. Dave said rerouting the traffic will help but the 24-hour a day noise has not been addressed. Tracey read an excerpt from the VT 100's blog, which she feels indicates that the event organizers are not looking for an alternate site. Julia said the blog was about whether to continue the event after she steps down as director. Glenn said he'd like more information before acting on the application. Tom asked about the criteria for an alternate location. Julia said there has to be enough dry land to accommodate everyone, including campers and horses, near the current route and near power and water. Heather said for the horses, they need access to electricity, hot water, a telephone, stabling for emergency treatment, and somewhere for staff to stay. In addition, Heather said, they need to be far enough from a main road that, if a horse gets loose, it doesn't get hit by a vehicle, and they need access to a tractor in case a horse gets stuck and has to be pulled out. Julia said the location should also be near their storage space for setup, restocking, and tear down. Bill Stillson said he has been looking for an alternate site but he thinks Dave and Tracey will see a positive impact from the changes that have been made. Tracey said Silver Hill is a terrible road for horse trailers. Julia asked the Selectboard and the community to allow them to proceed with the event this year so they can evaluate the impact of the changes that have been made. Julia said they have no alternate site this year so, without a permit, the event would not happen. Bill Stillson said Rush Meadow to Bryant Road might be a safer route for horse trailers. Bruce said he supports the event but it sounds like there are some issues that need to be worked through. Tom asked if delaying a decision on the permit will have a negative impact on the applicant. Julia said registration for the event is full but she can delay contracting with vendors if she has to. Rob offered to go over the maps with the Selectboard. Heather said this is the only event of its kind in the country. **Glenn moved to table the application pending further review. Bruce seconded the motion, which passed unanimously.**

- 7) Application for Public Assembly: "Five and Dime" race – Glenn said the resort owners want the town to be a sponsor/applicant so the town's insurance will cover the event. **Glenn moved to consider the Town of West Windsor as a sponsor for the Five & Dime event to be held on**

June 21, 2014. Tom seconded the motion, which passed unanimously. Tom asked if there's a problem with the land owner. Glenn said there's no problem as long as the town is a sponsor. **Glenn moved to approve the application for the Five & Dime event to be held on June 21, 2014, as amended with the town as a sponsor. Bruce seconded the motion, which passed unanimously.** Deb said they are planning a fundraising BBQ after the race, so the event will be done at 3:00 PM.

- 8) EC Fiber update – Glenn said things look promising.
- 9) Highway Foreman's report – Mike said Miller was working on the area today so they can get a crane in to move Bowers Bridge back onto its abutments. Mike noted the number of storms and the impact on the highway budget. Mike said there's a "salt scare" as a result of all the storms across the country but he has arranged to borrow salt from the Agency of Transportation if necessary. Glenn said he and Mike attended a meeting with the Superintendent of Schools regarding school closings but Mike still isn't getting notified.
- 10) Review "safe routes to school" meeting – Glenn noted that Courtney McKaig and others are looking for ways to improve safety for students walking or biking to school, and the regional planning commission is working on an update of the Pedestrian Master Plan. Glenn said Martha attended a recent meeting on the issue and emailed a summary to the Selectboard. Glenn noted that Bridge #4 and #7 came up in the conversation and everyone is in favor of widening the bridges. After the meeting, Glenn said he contacted Gary Sweeney who said the town should be seeing final designs for those bridges shortly, with additional width on Bridge #7. Glenn said another idea that came up at the meeting, and that he has discussed with Mike, is getting a price on having a shoulder machine place a 2' to 3' gravel shoulder along Brownsville-Hartland Road. Glenn said another idea from the meeting was using VAST trails as routes to school. Glenn said he has concerns about that idea. Glenn said he'd like to get Mike involved since a lot of it is highway related. Martha said there are funding possibilities once there is a plan in place.
- 11) Review town highway map and consider signing Certificate of Highway Mileage – **Tom moved to sign the 2014 Certificate of Highway Mileage. Bruce seconded the motion.** Tom asked if Coaching Lane Extension can be added after the town takes it over. Glenn said yes. Glenn said he requested that the Extension be deeded over to the town on Wednesday when we close on the sewer purchase but that didn't work out for everyone. **Glenn called for a vote on the motion, which passed unanimously.**
- 12) Resort sewer purchase update – Glenn said the closing is scheduled for Wednesday, February 12th at 1:00 PM at the Town Attorney's office at 71 Main Street in Ludlow. Glenn said he doesn't anticipate any issues. Mike Gannon said he didn't get a copy of the revised sewer ordinance and neither did the attorney representing the Property Owners Association (POA). Mike asked if there have been any changes to the ordinance since the Act 250 hearing. Glenn said there have been revisions, which were sent to the POA president and the members of the advisory committee. Glenn noted that the POA has not yet appointed a member to the advisory committee but Nate Stearns, the POA's attorney, does have a copy. As with any new ordinance, Glenn said, it's a work in progress and, as we find deficiencies, we'll address them. Mike asked if the issues associated with the Upper Loop have been ironed out. Glenn said it's his understanding that Nate Stearns has figured out a way to clear up the Upper Loop ownership issue. Glenn said the town is happy to accept the Upper Loop portion of the system and provide maintenance and capital improvements provided we are assigned ownership from somebody. Glenn said he thinks the property owners on the Upper Loop will be asked by Nate Stearns to sign a document relinquishing any interest in it. Glenn said the Town of Windsor will be providing maintenance for the system in its entirety. Glenn asked Mike to encourage the POA to appoint a representative to the advisory committee. Glenn said if there's a problem in the near future, the town will fix it.
- 13) Discuss and consider sewer receivables disbursement agreement – Glenn said the parties have agreed to split the receivables 50/50.

- 14) Village sewer funding update – Glenn said he met with a legislative committee last week about pollution abatement grant funding and Rep. Donna Sweaney and Rep. John Bartholomew were very supportive. Glenn said the results of the income survey are not coming in as expected, which may have a negative impact on our Community Development Block Grant application if a majority of village residents don't qualify as low to moderate income. Martha said Nathan Cleveland suggested following up by phone or in person to make sure everyone understood and completed the survey correctly.
- 15) Consider policy for the collection of delinquent user fees – Glenn said the Town Treasurer drafted a policy for the Selectboard to consider. **Glenn moved to accept the Policy on Wastewater Fees as drafted by the Town Treasurer. Tom seconded the motion, which passed unanimously.**
- 16) Resort conference/civic center discussion – Tom said he thinks a conference center would solve many of the town's problems. Tom said the amount of money the town has given to the state over the last five years, in excess of what we spend on education, would have completely built and furnished a new civic center and paid off the school construction bond, with money left over.
- 17) Town Forest Committee (TFC)
 - a. Discuss and consider revised mission statement – Rudy had two different mission statements, the only difference being the insertion of the words “environmental degradation.” The Selectboard agreed that they prefer the version that includes “environmental degradation.” Rudy said the TFC will vote on the Selectboard-approved version at their next meeting.
 - b. Discuss TFC project priorities – Survey: Rudy said he's going to revise the RFP template that Glenn provided to be used to solicit bids on finishing the town forest survey work. Grants: Jim said the TFC has started the process of applying for a grant for a ½ mile trail from the town forest parking area for less experienced riders. Jim said the trail would also be the first portion of an alternate route to the trails near the Cunningham building in case we lose access to Mile Long Field. Jim said there is another shovel-ready trail project, with Act 250 approval, near Paradise Hill. Bell Helmet & the International Mountain Bike Association (IMBA) are having a competition and will provide funding and a trail building crew to the winner for this type of trail. Jim said he is trying to find out if it would be better for STAB (Sport Trails of the Ascutney Basin) to be the applicant for the Bell/IMBA funding. Jim said he will be returning to the Selectboard for approval in a couple of weeks. TFC Budget: Rudy asked about the \$4,200 taken out of the TFC Budget for marketing and requested that the Selectboard notify the TFC next time before they authorize the expenditure of TFC funds. Glenn said, when they are needed, the funds will be reimbursed from reserve funds. The Selectboard agreed to notify the TFC in advance in the future.
- 18) Discuss capital budget – Glenn asked if it would be appropriate to have some capital budget handouts at Town Meeting. After discussion, Bruce and Tom agreed.
- 19) Police report – Glenn said he did not get a police report. Tom reported on an identity theft situation. Glenn said there is a meeting scheduled for February 19th at 9:00 AM at the Regional Planning Commission to discuss regional police services. Tom was concerned about the possibility of additional costs.
- 20) Update re: Material Management Plan – **Glenn moved to table the update. Bruce seconded the motion, which passed unanimously.** Tom said there are new recycling regulations coming down the pike.
- 21) Other Business - Lustberg trail agreement: **Glenn moved to sign the Lustberg trail agreement dated February 10, 2014. Bruce seconded the motion, which passed unanimously.** Road and bridge weight restrictions: Glenn asked if we want to reduce the allowed weight on Bowers Bridge. Mike said Bowers Bridge is posted at 8' and three tons right now and Best Bridge is posted at 10' and six tons. Glenn asked if we want to legally post it. Mike said he thinks the limit should be raised to six tons on Bowers. Glenn said he will run it by Jan Lewandoski. Standard Operating Procedure (SOP): **Glenn moved to authorize the expenditure of \$400 for the**

drafting of a SOP for the wastewater system. Tom seconded the motion, which passed unanimously. Trail maintenance: Bruce said he thinks the town needs a trail maintenance protocol to ensure advance notification of when, where, and how trail maintenance will be done. Bruce added that private landowners need to be informed as well. Glenn said he thinks our co-permittees on the Act 250 permit recognize the necessity for trail maintenance and, as long as it's under the auspices of the town, they embrace it. Regarding the protocol, Glenn and Tom agreed that it's a good idea. Bruce suggested letting Jim Lyall and Erik Schutz know that the Selectboard needs to be notified of the details in advance. Ascutney Trails (AT) marketing effort: Bruce said some additional work needs to be done and someone needs to be designated to keep the AT website updated. Glenn suggested meeting with Erik, Jim and Ryan and tying up the loose ends.

- 22) Approve Minutes - January 13th: **Tom moved to approve the minutes of January 13th as amended. Bruce seconded the motion, which passed unanimously.** January 16th: **Bruce moved to approve the minutes of January 16th as written. Tom seconded the motion, which passed unanimously.** January 27th: **Tom moved to approve the minutes of January 27th as written. Bruce seconded the motion, which passed unanimously.** February 3rd: **Tom moved to approve the minutes of February 3rd as amended. Bruce seconded the motion, which passed unanimously.**
- 23) Executive Session: Personnel matters – **Glenn moved to go into Executive Session to discuss personnel matters. Bruce seconded the motion, which passed unanimously.** After discussion, **Tom moved to come out of Executive Session. Bruce seconded the motion, which passed unanimously.** Glenn noted that no action was taken.
- 24) Adjourn – **Tom moved to adjourn at approximately 9:05 PM. Bruce seconded the motion, which passed unanimously.**

Respectfully submitted,

Martha Harrison