

West Windsor Selectboard
Draft Minutes
July 8, 2019

Present: Win Johnson, Brett Myers, Matt Kantola, Martha Harrison, Tom Kenyon, Mike Spackman, Cathy Archibald, Glenn & Shelley Seward, Natalie Starr, John Mudgett, Cathy Boedtke, Barbara Gerstner, Rudy Gross, Ben Bardwell, Mike Silverman, Jim Lyall, Ted Siegler, Colin Eggleton

- 1) Call to Order – Selectboard Chair Win Johnson called the meeting to order at 6:30 PM.
- 2) Changes or Additions – zoning permit application, VLCT PACIF scholarship application, water project construction permit and permit to operate applications, Library update
- 3) Public Comment – July 3 & 4: Win said the Independence Day committee did an incredible job. Matt complimented the signs. Town Forest: Cathy Boedtke was concerned about organized hikes on rogue trails and said there continues to be unauthorized tree cutting in the Town Forest. In addition, Cathy said the Conservation Commission (CC) was presented with a proposal to re-locate the Bicentennial Trail such that it would connect with the ski slopes. Cathy said she is concerned that these things conflict with the Town Forest Management Plan. Win said he has spoken with Ted Siegler and they both agree that the Town has to be careful about compliance with the management plan and the easement, and that all projects should be cleared through the CC. Cathy suggested that the Selectboard, the CC, STAB and Ascutney Outdoors (AO) get together with John Roe from the Upper Valley Land Trust (UVLT) and review the easement and the management plan. Win asked if it's clear which trails are rogue trails. Cathy said if the trails are marked with signs, they're part of the trail system; if not, then they're rogue trails. Brett asked about the enforcement mechanism. Cathy said the plan says the CC will oversee the Town's interests, but very little actually comes before them. Cathy said she has also heard that e-bikes are being used in the Town Forest, which is not allowed. Cathy suggested closing off the entrance to rogue trails. Win said he will talk with Ted about organizing a meeting. Rudy said people renting e-bikes should be informed that they are not allowed in the Town Forest. Matt asked about exceptions for people who have heart conditions. Ben said if you have a handicapped license plate, you can ride anything you want on any trail. Cathy said the State classifies e-bikes as motorized vehicles, which are not allowed in the Town Forest. Natalie said there are different types of e-bikes. Cathy said e-bikes are not allowed at Kingdom Trails, or any other trail systems in Vermont. Matt suggested discussing e-bikes further at the meeting.
- 4) Sign Town Clerk's orders – **Brett moved to sign orders. Matt seconded the motion, which passed unanimously.**
- 5) Set 2019 Tax Rate – Win said Cathy Archibald has calculated a town tax rate of 47.293 cents based on the budget adopted in March. Win said the total residential tax rate is decreasing from \$2.32 to \$1.94, and the non-residential rate is increasing from \$2.02 to \$2.06. **Brett moved to set the town tax rate at 47.293 cents. Matt seconded the motion, which passed unanimously.**
- 6) Event application by Mike Silverman & Ascutney Outdoors for the Vermont 50 Mtn Bike/Ultra Run from 6:00 AM until 7:00 PM on September 29th at Ascutney Outdoors Center, Ski Tow Road parking lot, Cunningham parking lot, and on public roads, with camping the night before on field adjacent to Seward property – Win asked if alcohol is provided. Mike Silverman said no; it's just BYOB. Mike said the Windsor Police will provide coverage as they have in the past. Win asked if anything will be different from last

year. Mike said he thinks moving the camping area will relieve some of the parking congestion. Mike said he also thinks the speeding problem was reduced through better communication about the issue. Win noted that the water project in the vicinity of the race may not happen until next spring because the town needs an Act 250 permit for it. In any event, Win said, the engineers are well aware of the event and prepared to work around it. Martha said, with regard to the sewer project, she asked the engineers to specify in the contract that no work can be done in the parking lot between September 23 and September 29. **Brett moved to approve the application for the Vermont 50. Matt seconded the motion, which passed unanimously.**

- 7) Review 2018 Audit with John Mudgett – Win asked John to describe what it means when an Auditor gives a qualified opinion. John said in this case, West Windsor has not maintained complete records on the cost of land and buildings and has reported them at an estimated value determined several years ago. The Town has also not included road and bridge improvements as assets. John noted the findings at the end of the document, which represent opportunities for improvement by utilizing the new accounting system more fully, classifying transfers correctly, increasing oversight, and creating an inventory of assets. Martha asked if the town should have someone appraise the Town's property. John said infrastructure projects are usually valued on a cost basis. Win said a qualified opinion can be a problem when it comes to applying for loans so we need to address these issues. Win also noted an unrestricted balance of \$636,000 in the General Fund, of which the Town will be using close to \$100,000 to buy the Burke property. Win also noted the Schedule of Findings and recommendations at the end of the report and said the Selectboard will have to come up with responses. Matt asked about investing some of the fund balance in a mutual fund. John asked Matt how much risk he wants to take with other people's money. John said if it were up to him, he would probably not do it; some towns invest endowments funds, but they do not usually invest taxpayer dollars. If the Selectboard would like to invest taxpayer funds, John said he would suggest putting an article on the Town Meeting warning.
- 8) Burke Property Update – Win said we've closed on the property, Mike has a key, and we're going to submit a zoning application to move the sand pile. Win said the state wants to do some additional testing and asked Martha about the timing. Martha said she emailed Shawn again today. Jim asked about the trail from the Pierce property to Route 44. Mike said Bowers Road has always been a Town right-of-way so no action is necessary.
- 9) Alcohol Service Policing Update – Win said Ascutney Outdoors created a color-coded matrix suggesting when police coverage should not be required (green), may be required (yellow), and should be required (red). The determining factors are the type of event (sports or entertainment), the time of day (before or after 5:00 PM), and the number of expected participants (more or less than 300). Win said the Chief reviewed and approved the matrix today. Ben said he hopes if there are changes to the matrix that they will be made at a Selectboard meeting, with notice. **Matt moved to accept the guidelines as written. Brett seconded the motion, which passed unanimously.**
- 10) Amenities in the Town Forest Parking Lot – Win said this is a controversial topic that has been discussed by the Conservation Commission, Ascutney Outdoors, and STAB. Since the Selectboard is ultimately responsible, Win said he thought they should find out more about it and see if the differences can be resolved. Matt said STAB proposed to purchase a picnic table and put a port-a-potty behind the kiosk in the Coaching Lane parking lot to make it more welcoming and user friendly. Win asked Matt if he will recuse himself from voting on any motions related to this issue. Matt said yes. Win asked how heavily the parking lot is used. Matt said it varies. Ben said it's not used very heavily. Matt said there were a lot of cars

there yesterday, approximately eight. Cathy Boedtger said when there's a Tuesday or Wednesday night ride, or on the weekend, the parking lot is always full. Cathy estimated 12 to 15 cars. Win asked if the evening rides always start there. Jim said no; they start there approximately once a month. Win asked if clubs who use the parking area have to notify anyone. Cathy said she thinks the management plan has some language about organized events. Brett asked what the issues are. Cathy said the state does not have port-a-potties at trailheads because they have not identified a need for them. Cathy said traffic is also an issue. Cathy said it was her understanding that, once the Town acquired the ski area property, the intention was to direct traffic to the multi-use high-intensity area. Cathy said noise is also an issue; from her property she can hear car doors slamming, people talking and dogs barking. Glenn said he and Shelley have not seen more than 2 to 4 cars in the Coaching Lane parking lot, except when there's an organized ride. Glenn asked if the Selectboard has received any complaints about the speed or amount of traffic on Coaching Lane. Win said the Selectboard gets speeding complaints on all the back roads, which is one reason why the Town purchased a mobile speed cart. Martha said Elvin Kaplan had complained about speeding on Coaching Lane a number of years ago, which is when the Town changed the speed limit. Shelley said the trails were intended to replace the ski area as the economic driver for the Town. Win asked if there has been discussion about the types of amenities we want in the Town Forest in prior years. Cathy said the topic of amenities was discussed at length with UVLT during the development of the management plan, but there's no mention of port-a-potties. Ted said it's very clear in the easement and the management plan that the Town had two goals, one being conservation and the other being the development of recreation; it's also clear that the Town has the right to expand the Town Forest parking lot. Rudy said right now, we don't know how many people are using the parking lot, but there are things we could do to find out. Glenn said in 2011, the Selectboard entered into an agreement with STAB to develop the trails in an effort to increase visitors to the area. Glenn also noted the Selectboard's August 25, 2014 resolution to purchase the mountain property, and the Town's Land Use & Operating Agreement with Ascutney Outdoors, which also mention economic development. Glenn suggested putting a picnic table and a port-a-potty in the parking lot; if it's a problem, take them out. Glenn said having amenities is more inviting to the people who use that trailhead. Win asked if any of the early plans were superseded by the management plan. Ted said the conservation easement was negotiated first and required the town to develop and adopt a community forest management plan, which took a couple of years. Win said, at the beginning of the meeting tonight, it was suggested that the various boards and organizations involved with the Town Forest have a meeting to review the provisions of the easement and the plan. Win asked Ted if he thinks that would be useful. Ted said yes. Ted said he thinks the Town has lived up to its responsibilities and it's important that we continue to do so. Ted said he doesn't think the Town needs to bring in the UVLT whenever there's a disagreement; it's important for the Town to work those issues out. Ted said he thinks it's also important to involve the Planning Commission in looking at sustainability; we need to grow the Town and attract young people, which is one reason why we've done what we have with the ski area and the town forest. Traffic can be a problem, Ted said, but a dying Town can also be a problem. Ted said the UVLT did a survey and had interns counting cars and asking questions, but John Roe has never compiled the data. Matt said he and his wife walk their dog in the Town Forest every other day and they have never had trouble getting a parking spot. Ted agreed. Win said anecdotal information is helpful but it would be more helpful to have UVLT's survey. Ted agreed to contact John Roe. Natalie said she has heard that a lot of trailheads are having problems with people going to the bathroom in areas where they

shouldn't. Ben said if you want to protect the environment, you should have sanitary facilities regardless of how many people are there. Ted said he would be happy to review the easement and the management plan with the Selectboard and anyone else who is interested. Win suggested reviewing the August 25, 2014 resolution as well. Win noted the question about how e-bikes are addressed and asked Colin not to direct e-bike renters into the Town Forest. Colin said he is aware of the issue and is not directing anyone who rents an e-bike into the Town Forest. Matt said no one on the STAB board is opposed to having e-bikes in the Town Forest. Win said STAB should review the conservation easement. Ted said the issue of e-bikes is in its infancy; the National Park Service is discussing the issue with some parks allowing e-bikes and others not allowing them. Ted said the Town is going to have to address it with UVLT and the State. Rudy noted that the "Welcome to West Windsor" sign on Route 44 is not visible due to untrimmed vegetation. Win agreed to look into that. Tom said he doesn't think the trails are overused. Win said he thinks the trails were well-constructed and are well-managed. Barbara suggested closing the parking lot at certain times to address the noise issue. Win said we already have "quiet" signs on the cut-through loop, and suggested putting up some additional signs. Barbara said if we want people to move here, we need jobs. Ted said he knows a number of young people who have moved to West Windsor because we have high-speed internet so they can work from home. Ted said he thinks the combination of recreation and infrastructure has the potential to drive the local economy. Win said he will come up with a list of things we need to do to move this conversation forward.

- 11) Highway Foreman's report – Sign Better Roads grant agreement: Martha said we have the Cemetery Road agreement; we don't have the Silver Hill agreement yet. **Brett moved to authorize Win to sign the agreement. Matt seconded the motion, which passed unanimously.** Discuss & consider adopting 2019 Town Road and Bridge Standards: Mike said there are some good changes. **Brett moved to adopt the 2019 Town Road & Bridge Standards. Matt seconded the motion, which passed unanimously.** Request for "Caution: Horses" sign: Win said the Town has been asked to put some caution signs on Kings Highway both eastbound and westbound. Mike suggested putting up horse signs for now. Matt asked about the Legal Trail sign. Mike said he hasn't put one up yet. Matt said he will take a photo of the one in Weathersfield. Silver Hill: Mike said they started cutting trees for the Silver Hill project today. Mowing: Roadside mowing continues. Maintenance garage: Mike said most of the Town's equipment has been moved out of the maintenance garage on the mountain and into the garage on the former Burke property. Win said we can't have anything in there with fluids – gas, oil, etc. Mike noted that we need to turn the power on. Win asked Mike to stake out the area for the sand pile. Mike said we also need to do some excavating. Win said the DRB is going to want to do a site visit before any excavating. Mike said he will talk with Glenn about Ascutney Outdoors taking over the Green Mountain Power account at the garage on the mountain. Paving: Mike's still waiting to hear from the paving company about paving two sections of Hotel Road. Barton Road: Mike said they haven't started the Barton Road project but, when they do, he'll take photos. Mike noted that the Green Mountain Horse Association would like to get the culvert back. Win asked Mike to talk with the snowmobile club. PACIF Scholarship: Win asked how much of the cost we'll get reimbursed for. Martha said she thinks they'll cover \$120 per person per day for the West Windsor participants. **Brett moved to sign the scholarship application. Matt seconded the motion, which passed unanimously.** Zoning application: **Brett moved to authorize Win to sign the zoning application to move the sand pile.** Brett asked what's going to happen with the area where the sand pile is now. Mike said it will be gravel storage. Win asked if it would

encroach on the state highway right-of-way. Mike said no. Mike said there will still have to be some sand on the south side for sanding the blacktop roads.

- 12) Water & Sewer Utilities – Win said we need to approve signing a construction permit application and a permit to operate application for the water project. **Brett moved to sign the permit applications. Matt seconded the motion, which passed unanimously.**
- 13) Other Business – Library update: Tom said the Trustees have received three applications for the Librarian position. They have interviewed two of them and will interview the third on Thursday. Tom said they also fixed the problem with water dripping on the ADA ramp, and they're working on the bulkhead. Queen Victoria Road: Barbara asked Mike about repairing the erosion on the road. Mike said funds are a problem right now. Barbara asked about using some of the reserve funds. Win said that could come up at Town Meeting. Matt asked if GMHA has funds. Barbara said they would probably contribute. Matt said he could do it. Win said not to do anything without clearing it with Mike first.
- 14) Approve Minutes – **Brett moved to approve the minutes of June 24th & June 27th. Win seconded the motion, which passed unanimously.**
- 15) Adjourn – **Brett moved to adjourn at 8:33 PM. Matt seconded the motion, which passed unanimously.**

Respectfully submitted,

Martha Harrison