

**Town of West Windsor  
Selectboard Meeting Minutes  
Monday, June 24, 2024 @ 6:30pm  
Town Hall and Zoom**

**Present in Person:** Mark Higgins, Mark Harley, John Brodie, Amy Yates, Mike Spackman, Deb Shearer, Matt Frederick, Gary Shapiro & Gaya Erlandson, Jill Delaney, Jonathan Nichols

**Present via Zoom:** Lauren Dorsey (Vermont Standard), Elizabeth Burrows, Erin Hill, Sandi Brown

**1. Call to Order**

A quorum being present, Mark Higgins called the meeting to order at 6:36pm.

**2. Changes or Additions to Agenda**

None.

**3. Announcements/Public Comment**

Jill Delaney mentioned that she started a weekly online newsletter called the West Windsor Weekly. This newsletter “will cover West Windsor happenings including community news, cool things, new activities, occasional reminders about regularly scheduled events with a link to the website and evolve from there.” To subscribe to West Windsor Weekly, please send an email request to [westwindsorweekly@gmail.com](mailto:westwindsorweekly@gmail.com).

Mark Higgins thanked the Weston Theater Young Company for their production of *Junie B. Jones, the Musical*, which was held on Sunday afternoon in the Town Hall auditorium instead of at Ascutney Outdoors due to inclement weather. Mark noted that it was well-attended and “a great production.” Mark further noted an email thanking Town Administrator Matt Frederick for his help in post-production cleanup, and also thanked Matt on behalf of the Selectboard.

**4. Income Sensitivity Property Tax Credit & Late Fee Waiver (Elizabeth Burrows)**

State Representative and West Windsor resident Elizabeth Burrows spoke about the [Vermont Property Tax Credit](#) program. Elizabeth noted that towns may add an 8% late fee to filings, but that the late fee must first be approved by voters. As West Windsor residents did not vote to approve this at Town Meeting in March, there would be no late fee owed to the town for filing to receive this credit, though there is a \$15.00 late filing fee charged by the state. The deadline for filing for this credit was April 15<sup>th</sup>, but **late filing may still be completed by October 15<sup>th</sup>**.

According to a 2018 study, around 70% of Vermonters are eligible for the income sensitivity credit, but only approximately 20% of those who are eligible claim this credit. Elizabeth stated that **this confidential process is available to all households with a combined annual income**

**below \$128,000.00 in 2023** who file a Homestead Declaration, including residents who are renting or are on a fixed income.

For more information on the Vermont Property Tax Credit, please visit the [town website](#).

## **5. Approve Minutes of 6/10**

Mark Higgins pointed out that there is a period missing after the ‘L’ in agenda item #8 of the draft minutes for the June 10<sup>th</sup> Selectboard meeting. Matt will make that grammatical correction.

*Mark Harley motioned to approve the minutes of the June 10<sup>th</sup> Selectboard meeting with the aforementioned revision. John Brodie seconded the motion, and all were in favor.*

## **6. Town Clerk’s Report**

Amy Yates produced the Town Clerk’s orders for the Selectboard to review and sign. Amy spoke about the recent ongoings in the Town Clerk’s office, including timeshare foreclosures and the collection of outstanding dog licenses and delinquent taxes. **Amy noted that after June 30<sup>th</sup>, she will be posting the list of dog owners with known delinquent dog licenses.**

There was a brief discussion relating to the delinquent tax lien process. **Residents with delinquent taxes are highly encouraged to reach out to discuss the matter with the Town Clerk, either by phone at 802-484-7212 or via email at [ayates@westwindsorvt.org](mailto:ayates@westwindsorvt.org).**

## **7. Event Application – Marriage Celebration at Ascutney Outdoors (10/19)**

Jonathan Nichols spoke about the upcoming Marriage Celebration for Erin Wierzbicki and Ethan Hill, which is scheduled for October 19<sup>th</sup> at Ascutney Outdoors, and is expected to have approximately 115 guests. Catering will be done by Trail Break taps + tacos, who will submit the DLL permit request closer to the event date.

*John Brodie motioned to approve the event application for the Marriage Celebration at Ascutney Outdoors on October 19<sup>th</sup>. Mark Harley seconded the motion, and all were in favor.*

## **8. English Country Dance – Fall Series (Jill Delaney)**

Jill Delaney spoke about her plans for a ‘Fall Series’ of the English Country Dance event at the Town Hall. She stated that she would like to host the dances on the second Sunday of each month during the fall, beginning in September and ending in December, and that she has procured insurance for the events. There was a discussion on the details of the event, including event dates and fees. The dances will run from 1:00pm to 4:00pm.

*Mark Harley motioned to approve the use of the Town Hall on September 8<sup>th</sup>, October 13<sup>th</sup>, November 10<sup>th</sup>, and December 8<sup>th</sup> from 11:30am to 5:00pm for the Country Dance and Song Society to host the English Country Dance Fall Series, pending payment of \$100.00 to cover the four scheduled events. John Brodie seconded the motion, and all were in favor.*

## **9. Mill Brook Watershed Study (Evan Fitzgerald)**

Mark Higgins spoke about the proposed Mill Brook Watershed Study to be conducted by Fitzgerald Environmental Associates. There was a discussion regarding the details of this proposed study, the ongoing Flood Mitigation Study behind the Fire Station, the need to obligate ARPA funding prior to the end of 2024, and a previous watershed study which was completed around 2015.

This item will be revisited at the July 8<sup>th</sup> Selectboard meeting to allow Evan Fitzgerald to attend to speak more on the scope of this proposed study.

## **10. Mount Ascutney Resort Phase I and II Stormwater Permit (Evan Fitzgerald)**

Matt spoke about the West Windsor Stormwater Operating Permits for Yale Heights and Mount Ascutney Resort, the latter of which encompasses the area around Hotel Rd down to Mill Brook. The Yale Heights permit is currently expired, and Matt is working to resolve that situation.

The Mount Ascutney Resort Phase I and II Stormwater Permit is due for its annual inspection, which has previously been completed by Fitzgerald Environmental Associates. Evan Fitzgerald submitted a proposal of \$1,500.00 to complete the annual inspection due on July 15<sup>th</sup> and the related filing with the State of Vermont.

Evan noted in his email that while completing the initial mapping phase of the Flood Mitigation Study, his team observed that there was a breach in the berm of the retention pond within the stormwater permit area. This berm was apparently also repaired in 2021. Mike Spackman noted that he believes the previous work was completed by DLX and was paid for by the resort. Matt will meet with Evan to review this damage and will follow up on ownership of the repairs.

*John Brodie motioned to approve an amount not to exceed \$1500.00 for Fitzgerald Environmental Associates to complete the annual inspection and filing of the Mount Ascutney Phase I and II Stormwater Permit. Mark Harley seconded the motion, and all were in favor.*

## **11. Discussion: Resolution on the Cannon**

Amy Yates spoke about recent interest from the public regarding a potential sale of the cannon. There was a discussion on the history of the cannon, previous attempts to donate it, options for conducting a sale, and possible restrictions on the sale. Mark Harley noted that West Windsor resident Jack Dugdale has done research into the origin and history of the cannon and wrote to the Selectboard previously with his findings.

Matt will research any stipulations on the sale of the cannon. Pending sale restrictions and alternative options, including any interest in the cannon from the Town of Hampden, Massachusetts, which was the location of the cannon prior to its arrival in West Windsor, the Town of West Windsor will put out a Request for Bids, to include the known details of the cannon, to be due July 19<sup>th</sup> for opening at the Selectboard meeting on July 22<sup>nd</sup>.

## **12. Highway Foreman's Report**

Mike Spackman spoke about the one-day hands-on grader class taken by Highway Department employees Erik Boedtke and Eric Cooper last week. Mike stated that both Erik and Coop performed well, and both are now certified in grader operation. There was a discussion on the practice of grading, different grader control options (steering wheel vs. joystick), and the variables involved with successful grader operation.

Mike stated that work on roadside mowing and weed whacking is progressing. There was a discussion on roadside mowing frequency, which is performed one to two times per summer depending on location and available time.

Ditching funded by MRGP grants will begin on Thursday for Sheddsville Road, Prince Road, and Queen Victoria Road. There was a brief discussion on the scope of this work.

Mike stated there was only minor scouring from the recent heavy rains, and that routine grading will fix these areas.

The Highway Department performed road maintenance at the entrance of the Sheddsville Cemetery per request from the Cemetery Sexton. Amy noted that Sexton Tom Whelan thanked the Highway Department for their good work.

There will be a meeting at the Highway Garage on Tuesday, June 25<sup>th</sup> with Mike Spackman and Erik Boedtke of the Highway Department, Town Administrator Matt Frederick, and Logan Nicoll of MARC to discuss improving highway timesheets and field work documentation, along with the sharing of files between town entities using SharePoint.

## **13. Zoning Bylaw Review**

Mark Higgins stated that the Selectboard is not ready to engage in a full discussion of the Zoning Bylaw changes. There will be a comprehensive review at a future Selectboard meeting.

West Windsor resident Gary Shapiro read from prepared remarks and spoke about the minimum lot size regulation in the Zoning Bylaws, and his desire to build additional housing on his land on Hammond Hill Road. Gary spoke about the process he and his wife, Gaya, have gone through with this proposed idea, including numerous meetings with local boards and commissions.

Zoning Administrator Deb Shearer stated that the Planning Commission is not currently considering "Spot Zoning", and informed Gary that submitting a variance request to the Development Review Board would be the way to address his specific proposal for that property. Deb noted that if the DRB denies the variance request, there is an appeals process which may be followed, and that she will email him the variance process for convenience.

Gary spoke of his continued frustration with the Planning Commission and asked that the Selectboard direct the Planning Commission to revisit the minimum lot size prior to finalizing the changes to the Zoning Bylaws. Mark Higgins stated that he did not feel that course of action

to be appropriate, but informed Gary that, as part of the review process, there will be a public hearing following the Selectboard discussion on the Zoning Bylaw changes.

Mark encouraged Gary to garner the support of other West Windsor residents to speak in favor of his requested change to minimum lot size at the public hearing, which will show the Planning Commission and the Selectboard that there is a greater desire amongst residents for that topic to be addressed.

Mark also encouraged participation in West Windsor committees as a means to affect change in local regulations and in the community.

There was a lengthy discussion on the differences between an individual variance versus an overall change to the Zoning Bylaws, and the potential options for the property at 1643 Hammond Hill.

#### **14. Vermont Open Meeting Law Amendment**

There was a discussion on the new [Vermont Open Meeting Law amendment](#). The changes would require the recording of meetings of all “nonadvisory bodies”, which must be posted to the town website for at least 30 days following the approval of the meeting minutes.

The Town of West Windsor already records these meetings, so the main change would be hosting these recordings on the town website. Matt and Mark Harley will develop a place on the town website for public access to these recordings, along with other newly required postings related to the reporting of Open Meeting Law violations. There was a discussion regarding web storage space required by these new changes and the associated costs of additional storage.

The current understanding is that this change would affect the Selectboard, the Planning Commission, and the Development Review Board. There was a discussion relating to “field visits”, and where they would fall under these new rules, which go into effect on July 1<sup>st</sup>.

Matt will follow up with VLCT for more guidance on these matters.

#### **15. NEMRC Assessor Contract**

There was a discussion regarding the proposed contract from NEMRC for Assessor’s services from July 1<sup>st</sup> to December 31<sup>st</sup>, 2024. The expectation is that this contract will allow for the currently elected Listers to step down at the end of June, as agreed upon at Town Meeting. The current plan is for Deb Spackman to remain as an Assessor’s Clerk to handle the routine office duties, while certified Assessors from NEMRC will handle the field work and other contracted responsibilities.

The NEMRC contract calls for communication to the Selectboard if NEMRC staff are likely to exceed 95 hours during this contract period, which works out to a cost of \$8,075.00 for the six-month contract. Authorization from the Selectboard must be obtained prior to additional hours being billed beyond that point.

Following this initial six-month contract, the needs and responsibilities will be reviewed to identify and adjust processes and procedures prior to beginning an annual contract cycle, which may be put out to bid to additional vendors.

*John Brodie motioned to approve the proposed NEMRC Assessor Contract, with a term of July 1<sup>st</sup> to December 31<sup>st</sup>, 2024, at a cost not to exceed \$8,075.00 without prior authorization from the Selectboard. Mark Harley seconded the motion, and all were in favor.*

## **16. Windsor Police Department Agreement Renewal**

There was a brief discussion relating to the Intermunicipal Police Agreement between West Windsor and Windsor, which is a renewal of the current agreement, which expires on June 30<sup>th</sup>. Mark Higgins noted that Chief Frank of the Windsor Police Department has been very responsive to the needs of West Windsor.

The renewed agreement has a term of July 1<sup>st</sup>, 2024 to June 30<sup>th</sup>, 2026, with no change in contract scope. The annual cost of \$114,114.00 is the figure budgeted for West Windsor's 2024 Fiscal Year in anticipation of this renewal.

*Mark Harley motioned to approve the renewal of the Intermunicipal Police Agreement between the towns of West Windsor and Windsor for two years at an annual cost of \$114,114.00. John Brodie seconded the motion, and all were in favor.*

## **17. Other Business**

None.

## **18. Upcoming Meeting Schedule**

The next Selectboard meetings are scheduled to be held on July 8<sup>th</sup> and July 22<sup>nd</sup>.

Mike Spackman and Amy Yates both noted that they will be on vacation for the July 22<sup>nd</sup> meeting.

## **19. Adjourn**

*Upon motion duly made and seconded, the Selectboard unanimously voted to adjourn at 8:35pm.*

Respectfully submitted,

Matt Frederick  
Town Administrator