

WEST WINDSOR SELECTBOARD

Draft Minutes

May 13, 2013

Present: Glenn Seward, Tom Kenyon, Bruce Boedtke, Dennis Lemire, Dennis & Tammy Conley, Bill Stillson, Tim Stone, Geoff Sykes, Bob French, Betty Lemire, Heidi Edmunds, Rudy Gross, Win Johnson, Bill Young, Erik Schutz, Jim Lyall, Barbara Truex, Arthur Steinberg, Dick Webster, Tom Frizzell, Mike Spackman, George Calver (*VT Standard*), Aaron Gonthier (*Windsor on Air*), Martha Harrison

- 1) Call to Order – Selectboard Chair Glenn Seward called the meeting to order at 6:30 PM.
- 2) Changes or additions to the agenda – Green-up, Sheddsville Cemetery, Flags, 2014 Budget, Cady signs
- 3) Sign Town Clerk's orders – **Glenn moved to sign orders. Bruce seconded the motion, which passed unanimously.**
- 4) Town Clerk/Treasurer's Report – Town Clerk Cathy Archibald was not present. Glenn announced a part-time administrative job helping Cathy at \$12.96/hour and asked interested persons to call 484-7212.
- 5) Public Comment – None
- 6) Public assembly application: Vermont 100 – Bruce asked if anything is different this year. Bill Stillson said no. **Tom moved to approve the application for public assembly for the Vermont 100 on July 19-21, 2013. Bruce seconded the motion, which passed unanimously.**
- 7) Public assembly application: Lucy MacKenzie Humane Society – **Tom moved to approve Lucy MacKenzie Humane Society's application for a donor recognition event on June 12, 2013. Glenn seconded the motion, which passed unanimously.**
- 8) Highway access application: Schofield (Barton Road) – Tom Kenyon noted that the property owner will be accessing Barton Road from the Reading side and not from Rush Meadow Road. Tom Frizzell was present on behalf of the property owner. **Glenn moved to approve the highway access application for the Schofield property on Barton Road, contingent upon consent by the Highway Foreman. Bruce seconded the motion, which passed unanimously.** Tom Kenyon asked if a culvert is required. Tom Frizzell said they were not planning to put a culvert in. The Selectboard agreed to ask the Highway Foreman if a culvert is required and let Mr. Frizzell know.
- 9) Consider community solar power proposal - Rex James was not present. **Tom moved to table consideration. Bruce seconded the motion, which passed unanimously.** Glenn noted that, although the reclamation process has been expedited, the timeline for the property owner to consider giving the land to the town has not.
- 10) Taxpayers for responsible ATV use in the Town Forest: Dennis Lemire – Dennis said the group present would like the Selectboard to reverse their decision to table the Act 250 amendment regarding ATV use in the Town Forest. Dennis gave some background on the Act 250 application for the trail system and noted that people have used ATVs in the Town Forest for years. Dennis said the people present vote and pay taxes and asked why it's right to advertise for mountain bikers to come from Massachusetts, but not allow local people to ride ATVs. According to Dennis, at an April 30, 2012 Town Forest Committee (TFC) meeting, Glenn said that if there is public demand for ATVs and snowmobiles in the Town Forest, we need to address it. Dennis submitted a map showing the proposed ATV trails. Rudy said the TFC voted 4 to 1 to pursue an Act 250 amendment to allow ATV use. Glenn asked if the TFC reviewed and approved the proposed ATV trail map. Rudy said not to his knowledge. Dennis said all the proposed ATV trails are double-track trails. Jim said most of the proposed ATV trails on the map are off limits for mountain bikes and hiking because they're too steep. Glenn said indications are that marketing the trails for hiking and biking could result in a huge economic benefit for the town and adding ATVs to the mix does not seem appropriate at this point. Glenn noted that he pays taxes to support the school even though he doesn't have kids. Glenn suggested that the TFC review the proposed map. Glenn also said that if the process is not moving

fast enough for those present, they can petition to have the issue placed on the warning for Town Meeting. If a majority of the people in this town want ATVs in the Town Forest, Glenn said, then we need to have that conversation. Dennis said he's sure that a majority don't want ATVs in the Town Forest. Geoff Sykes said he hasn't heard anyone speak against it. Geoff acknowledged that there have to be rules. Glenn said a lot of ground work has to be done: discuss the map with the TFC, discuss erosion control measures, etc. A lot of information has to be submitted to the state for an Act 250 application, Glenn said, and the Selectboard can't do all that work. Dennis said they don't want to gather all that information and then have the Selectboard say no. Bruce said the town spent about two years having studies and surveys done for the non-motorized trails and the same thing has to be done for the proposed ATV trails. Bruce said the state is generally not supportive of ATV use on public lands. Glenn suggested making inquiries with the District 2 Commission, Fish & Wildlife, Water Resources, and our Forest Ecologist and getting an opinion on whether or not this is worth pursuing. Glenn said he will provide the TFC with a list of contacts tomorrow. Tom said he would like to see a map of trails that everyone agrees are appropriate for ATVs and a list of proposed rules for ATV use. Bruce said the Selectboard has had a lot on their plate and there's only so much that can be done by three people. Dennis asked if Martha Harrison can help the TFC with correspondence. Glenn said Martha will have to decide that based on her work load. Glenn said the Selectboard did a lot of the work on the Act 250 permit. Glenn said the first step is to contact the State Permit Specialist and request a Project Review Sheet. Geoff said they don't want to put in a lot of time and effort if the Selectboard is not going to support them. Bruce said he needs more information before he can decide whether or not he supports the group's efforts. Dennis asked Martha if she has time to help. Martha said her work load varies a lot but Dennis is welcome to check with her if he needs something done. Glenn said many people don't understand how much there is going on right now but he supports getting more information so an intelligent decision can be made. Glenn said we need to know: where the trails are, what the rules are, how they're going to be enforced, what the environmental impacts are, and how it would affect the mountain bike network. Glenn said the town will help with information gathering to the extent that they can but the TFC has to take the lead on it. Tom said he thinks the state will tell the TFC that they won't approve trails that exceed the parameters for steepness. Tom suggested putting this issue on the agenda for the next meeting.

- 11) "Welcome to West Windsor" signs – No one was present from the sign committee.
- 12) VT Mountain Bike Festival – Erik said the number and location of tents has been discussed. Twenty-two vendors are coming, 4 bike shops, 5 bike companies, including Cannondale, and 3 caterers, including Brownsville General Store, Worthy Burger and Green Mountain Flour. Erik said there will be alcohol. Volunteers are signing up to guide rides. Posters are going out at the end of this week. There will be generators for electricity, a band on Saturday night, Ben & Jerry's ice cream, and sap tanks for water. Erik said the public assembly application will be submitted in June. Erik said the Windsor Police Department is aware of the dates, the number of people expected and the fact that there will be beer and a band, and they didn't seem concerned. Erik said cones and stakes will be set up in the main parking lot. There will be camping in the parking lot as well. Erik said he will email everything that he has now; he is only missing FAST Squad approval and a liquor license, which he should have by the end of the week. Bob French asked where the profits go. Erik said the profits are shared between the Vermont Mountain Bike Association (VMBA) and Sport Trails of Ascutney Basin (STAB). Bob said he thinks the town should get something out of it and asked if there is an entry fee. Erik said yes. Erik said STAB plans to use their share for the connector trail from Ascutney State Park. Tom asked if the event is cost-neutral for the town. Erik said STAB will cover any extra expenses. Erik said he will ask the Windsor Police Department whether there are any costs for their services. Erik said he doesn't think they're going to need to have the Sheriff's Department present. Next Selectboard meeting: The Selectboard agreed that their next regular meeting will be on June 17th. Glenn said there will be other meetings before then at which the Selectboard could consider a public assembly application for the festival.

- 13) Discuss trail marketing proposal – Glenn noted that there is a trail marketing meeting this Thursday. There was brief discussion about the proposed pump track and skills park at the Cunningham Building. On an unrelated matter, Erik announced that the school hired Jennifer Archer as the new Principal.
- 14) Town Forest trails update – Jim Lyall said he has been cleaning up winter blow-down and 95% of the trails are open. Jim said conditions are posted online, at the kiosk and at the store. Jim said he put a donation box and a trail log in the Town Forest. Jim has worked on “Cathy’s Crossing” and plans to remove roots from Blue Dipper and Pine Twister. Some signs were vandalized and need to be replaced. Jim said he wants to add a trail called “Wind Up” and another trail, both of which were included in the Act 250 permit. Jim said he has mapped out a 13-mile dirt road and double track route for beginners, which he’d like to connect to town and the General Store. There was discussion about the possibilities. Tom asked if there are any trails that would be impacted by work on the gravel pit. Jim said “Arrowroot” would be impacted. Bruce said he thinks the restoration can be done without eliminating the trail. Bruce asked if the trails will support the festival traffic even if there is an adverse weather event. Jim said some of the rides are in other locations but he knows which trails are most vulnerable and will direct the guides away from those areas. Rudy asked if the town needs an Act 250 permit to restore the gravel pit. Glenn said yes; he thinks a permit will be required. Bruce said the Agency of Transportation has someone who may be able to do the environmental review work since the gravel pit reclamation would be done with excess material from the re-engineering of the Coaching Lane/Route 44 intersection. Glenn said the Selectboard will share any useful information they get with the TFC. On his own time, Jim said, he has been promoting a “trail of the week” with photos and/or a short video.
- 15) 2013 Budget Review – Glenn said legal fees are over budget. Glenn asked Mike about Equipment Rental under “Winter Maintenance.” Mike said that may be related to Coaching Lane Extension. Tom asked about diesel fuel. Mike said it’s close to budget. Tom asked about medical insurance. Glenn said it's in line with expectations.
- 16) Highway Foreman’s Report – Mike said the new truck should be shipped on the 15th and then the body has to be put on. Mike said ditching is 75% done and the Rush Meadow project by Hudson’s is done and seeded. Mike said two areas need paving – the hill by the Brownsville Cemetery, north of the school, and Holbrook Hill. Mike said he got three proposals: Springfield Paving will charge \$76.87 per ton; Blaktop will charge \$85.24; and Pike will charge \$86.15. Mike recommended Springfield Paving. Tom said the Library Trustees have requested repaving around the library. Tom asked Mike to get the cost of including the library. Mike said the paving fund has \$79,000, not including the \$30,000 that will be added this year, and he would like to spend about \$40,000 this year. Glenn asked Mike to get an amended proposal just showing the two areas proposed for this year. **Glenn moved to accept the proposal of \$76.87 per ton from Springfield Paving for this year’s paving with the total square footage to be determined by the Highway Foreman. Bruce seconded the motion, which passed unanimously. Tom moved to authorize the Chair to sign the amended proposal when it comes in. Glenn seconded the motion, which passed unanimously.** Glenn asked Mike if he is okay with the Schofield driveway. Bruce asked if it needs a culvert. Mike said he will look at it tomorrow. **Glenn moved to apply for a paving grant in the amount of \$174,933 and a structures grant in the amount of \$137,650 for fiscal year 2013. Bruce seconded the motion, which passed unanimously.** Mike said he will ditch Holbrook Hill before it’s paved, and fix the corner. Mike said we’re supposed to have the mower starting on July 5th.
- 17) Bowers Bridge update – Glenn said he spoke to the insurance adjuster today and we’re set to move ahead although the adjuster requested updated pricing. Glenn said he contacted Jan Lewandowski for an updated price and timeframe. Mike asked if the bridge is going to be lifted off the abutments. Glenn said he thinks so. Mike said the crane has to be on a firm bed close to the abutment so the guardrail will have to come out and the slope will have to be leveled. Glenn suggested building up the area adjacent to the abutment rather than removing material. Glenn said the insurance company is not requiring a bid process so he would suggest going with Jan Lewandowski. Tom and Bruce agreed.

Tom asked if the insurance company is going to cover the cost. Glenn said they want to see what the cost is.

- 18) Coaching Lane/Route 44 intersection – Glenn said this could be budgeted for next year but we should keep in mind that there is also a problem on the Brownsville-Hartland Road, north of Coon Club Road.
- 19) Update on adoption of Coaching Lane Extension – Glenn said he spoke with Snowdance, LLC and they are preparing a deed. Bruce asked about the Nowlan easement. Glenn said he has the original but he'd like to get the deed from Snowdance first. Glenn noted that Snowdance has also agreed to allow the town to construct an emergency access into the resort over the right-of-way. Glenn said if we decide to proceed, we should get Bob Farnsworth to survey it. Mike suggested using two of the longer pieces of culvert from the Town Forest and then gating the access. Glenn said we're going to have to get Todd Menees to look at it. Tom said he thinks we should proceed as soon as possible. Glenn suggested contacting the Plausteiners since the right-of-way goes through their driveway.
- 20) Review footpath intersection of Route 44 and Bowers Road – Tom said this should be incorporated in the Coaching Lane/Route 44 intersection project using one of the existing 10' or 12' culverts.
- 21) Discuss sewer line purchase and associated collections from users – Glenn said the court approved the purchase with the proceeds to go into escrow but collections have been slow. Out of approximately \$165,000 owed by sewer users, \$30,000 has been collected.
- 22) Consider signing Act 250 permit application for sewer line – **Glenn moved to table since the application is not ready to be signed. Tom seconded the motion.** Glenn explained that we're waiting for information from the Town Attorney which was prompted by an inquiry from the Attorney General's office due to a complaint filed by the Property Owner's Association (POA). Glenn said the Purchase and Sales Agreement is included in the Act 250 application so it has to be amended to clarify some of the conditions of the purchase. **Glenn called for a vote on the motion, which passed unanimously.**
- 23) Discuss fiber optic line extension project – Glenn said the Town Attorney is drafting a Memorandum of Understanding for EC Fiber's consideration, which would outline our arrangement with them to construct and manage the line. Glenn said the informational meeting is scheduled for May 21st at 6:30 PM.
- 24) Consider adopting Purchasing Policy – Tom said the policy doesn't address the time period between January 1st and Town Meeting. Tom said he will distribute copies of his notes to Glenn and Bruce. **Glenn moved to table consideration of the Purchasing Policy until the Selectboard has had time to review Mr. Kenyon's comments. Bruce seconded the motion, which passed unanimously.**
- 25) Consider adopting Address Ordinance – Tom asked if the town is going to fund the signs. Glenn said yes. Tom said he thinks we need two signs for each property, one for the driveway and one for the house. Everyone agreed. There was discussion about what color the signs should be. Mike asked who would be responsible for putting up the signs. Glenn said the ordinance says, "the owner of the property shall install and maintain such signs..." Mike said you should be able to see the number from both directions. Glenn said the first step is to start the wheels turning for the ordinance and go through the public hearing process. There was discussion about whether a public hearing is necessary. **Glenn moved to accept the draft ordinance relating to building numbering and start the adoption process per state statute. Bruce seconded the motion, which passed unanimously.**
- 26) Police report – Glenn said there were 34 calls and 55 directed patrols in the month of April.
- 27) Town Hall clock & balcony – Tom said we received an invoice for \$2,500 for the evaluation of the clock along with a number of restoration options to consider for next year's budget.
- 28) Other Business – Green-up: Tom said Bowers Road was cleaned up. Sheddsville Cemetery Gate: Tom said the gate is almost done. Flags: Tom said there was a donation of poles and flags. Dick Webster said the flags are going up tomorrow at 6:30 PM. 2014 Budget: Tom said the 2014 Budget should be on the agenda for every regular meeting to keep track of things that need to go in next year's budget. Cady signs: Tom said he'd like to have signs made for the event on Sunday with the expense to be paid out of the Cady Fund. Bruce and Glenn agreed. Coon Club/Brownsville-Hartland

Road intersection: Dick Webster said some brush needs to be cleared at the intersection. Glenn said he will speak to the Highway Foreman.

- 29) Approve Minutes - April 4th, April 8th, April 9th, April 10th, April 11th, April 16th, April 24th, & April 26th: **Tom moved to approve the minutes of April 4th, 8th, 9th, 10th, 11th, 16th, 24th and 26th as written. Bruce seconded the motion, which passed unanimously.**
- 30) Adjourn – **Glenn moved to adjourn at 8:55 PM. Bruce seconded the motion, which passed unanimously.**

Respectfully submitted,

Martha Harrison