

**Town of West Windsor
Selectboard Meeting Minutes
Tuesday, May 28, 2024 @ 6:30pm
Town Hall and Zoom**

Present in Person: Mark Higgins, Mark Harley, John Brodie, Amy Yates, Mike Spackman, Deb Shearer, Matt Frederick, Peter Varkonyi, Jonathan Nichols, John Mudgett, Ann Rubright, Jean Goldsborough

Present via Zoom: Bart Mair (Lincoln Street, Inc), Sandi Brown, Linda Ley, Lauren Dorsey (Vermont Standard)

1. Call to Order

A quorum being present, Mark Higgins called the meeting to order at 6:30pm.

2. Changes or Additions to Agenda

None.

3. Announcements/Public Comment

Mark Higgins noted that a large tree fell on the town hall lawn, likely from high wind on the night of Monday, May 27th. The Highway Department will be removing the fallen tree on Wednesday, May 29th.

4. Approve Minutes of 5/13

John Brodie motioned to approve the minutes of the May 13th Selectboard Meeting, with one revision noting that the IDC raffle is to benefit Ascutney Outdoors as well as the Fourth of July celebration. Mark Harley seconded the motion, and all were in favor.

5. Town Clerk's Report

Town Clerk Amy Yates spoke about the recent activities of the Town Clerk/Treasurer's office, including the continued pursuit of outstanding dog licenses, the ongoing transfer and consolidation of Town accounts to Mascoma Bank, and many conversations with residents regarding the recent reappraisals.

Amy noted that Mike Spackman's 5-year term as the West Windsor Forest Fire Warden expires on June 30th, and that Mike is interested in continuing in the role for another term. Mike mentioned that he has been the Forest Fire Warden in West Windsor for the past 36 years.

Mark Higgins motioned to re-appoint Mike Spackman as the Forest Fire Warden for the Town of West Windsor, with a term to expire on June 30th, 2029. John Brodie seconded the motion, and all were in favor.

6. Dog License Reminder

There was a discussion regarding the remaining unlicensed dogs, and the best methods for reminding certain residents of the Vermont law requiring this license, which also requires a current rabies vaccination certificate. Amy noted that, as of this meeting, there are 36 residents owning approximately 48 unlicensed dogs that she is aware of. Amy and Matt F will continue attempts to notify these dog owners of the license requirements to keep them in compliance with the Vermont law.

Amy noted that she will be posting the official list of delinquencies at the close of business on June 30th.

7. Event Application: Company Picnic at Ascutney Outdoors (8/15)

Jonathan Nichols and Bart Mair spoke about the details of the Lincoln Street, Inc company picnic at Ascutney Outdoors, planned for Thursday, August 15th. There was a brief discussion regarding the company picnic, which is a repeat of last year's event.

Mark Harley motioned to approve the event application for Lincoln Street, Inc on August 15th at Ascutney Outdoors Center. John Brodie seconded the motion, and all were in favor.

8. Highway Access Permit Initial Approval – Coaching Lane, Parcel #02-105

Ann Rubright and Jean Goldsborough spoke about their request for an initial highway access permit for Parcel #02-105 on Coaching Lane. Mike Spackman noted that he had performed a site inspection and had no issues with the Initial Highway Access Permit being approved, but that a culvert would be needed. Mike recommended that the installed culvert be 18" wide and 40' long.

John Brodie motioned to approve the Initial Highway Access Permit for Coaching Lane Parcel #02-105 on the condition that the installed culvert is 18" wide and 40' long. Mark Harley seconded the motion, and all were in favor.

9. Highway Access Permit Final Approval – 1472 Silver Hill Rd

Mike Spackman noted that the conditions in place for the Initial Highway Access Permit approval have been met, and recommended approval for the Final Highway Access.

There was a discussion regarding the extension process and fees, as Initial Highway Access Permits expire one year after approval, and the Initial Highway Access Permit approval for this property was granted in 2021. As there does not appear to currently be an extension fee schedule, and considering this access does meet the initial conditions for approval, it was decided that there would be no additional fee for this project despite the time elapsed.

Matt F will investigate the history of the Highway Access Permits to see whether there is or should be an official process for extensions and applicable fees.

Mark Harley motioned to approve the Final Highway Access for 1472 Silver Hill Rd on the recommendation of the Highway Foreman. John Brodie seconded the motion, and all were in favor.

10. BB&P Sewer Line Request

Peter Varkonyi spoke about the ongoing generator installation project at Brownsville Butcher and Pantry, and the Development Review Board's approval of the site plan. Due to limited space on that property, each item on the approved site plan had a very specific location, and, as Peter noted, the installation did not accurately follow the site plan. As a result, there is encroachment into the sewer easement area created during the Town's sewer expansion project nearly 10 years ago, which prevents the final approval of the generator installation.

There have been extensive conversations between representatives of the Town and BB&P on the available options to cure this issue and allow the approval process to move forward. One option put forward by Zoning Administrator Deb Shearer is the possibility of the Town abandoning the sewer easement and transferring ownership of the underground wastewater infrastructure on Parcel #03-163 to BB&P. This option would eliminate the future maintenance and repair obligations for the Town for that sewer line, while removing the need for BB&P to comply with the sewer easement for the generator installation project.

There was a lengthy discussion relating to this option, including where the specific transition in infrastructure ownership would occur and what the legal process would entail. Peter stated that BB&P would be willing to incur the costs associated with drafting the necessary legal documentation, and the Selectboard indicated their amenability to accept the proposal to abandon the Town's sewer easement on Parcel #03-163 and transfer ownership of that sewer line to BB&P.

Mark Higgins noted that more work will need to be done to pursue the details of this potential arrangement, which will be brought back before the Selectboard when ready.

11. 2023 Audit Report with John Mudgett

John Mudgett spoke about the 2023 West Windsor Audit Report provided by accounting firm Mudgett, Jennett & Krogh-Wisner, P.C. There was a lengthy discussion on the report details, including the same three deficiencies as in previous years: the accounting system, a limited segregation of duties, and a lack of complete records for values and depreciations of older town assets.

While John noted the same deficiencies as in previous years, he acknowledged that the increasing use of NEMRC accounting software allows for more oversight from elected Auditors, the Selectboard, and the Town Administrator, which, along with the ongoing account

consolidations, provide a path to reducing or eliminating both the accounting and segregation of duties deficiencies.

There was a discussion regarding the Town's older capital assets, and the challenge of accurately assessing their values and depreciations.

Mark Higgins asked John Mudgett about the challenges in place regarding changing the town's fiscal year to match the state fiscal year, and there was a discussion relating to the benefits and drawbacks to various fiscal year plans.

Mark Higgins thanked John for his auditing work, and John stated that he believes the town "has made real progress over the years."

12. Town Hall Event Sign Follow Up

Linda Ley spoke about the revised plan for the Town Hall event sign. The new plan would involve turning over the filler signage to allow for specific event signage and would incur no additional cost to the Town while reducing the labor necessary to maintain the event sign.

Linda also asked that the Town address the sumac overgrowth on the bank adjacent to the event sign. The Highway Department will plan to address that area when they remove the fallen tree.

13. Lister Transition & Reappraisal Update/Projected Assessor Costs

Matt F stated the elected Listers are still planning to step down at the completion of the reappraisal process, which should occur by the end of June. They are currently scheduling for pre-grievance meetings, which will begin on Monday, June 3rd. This process will continue until all interested parties have had a chance to speak with them.

The Town has yet to receive the expected assessor quote from NEMRC, but Matt will follow up with Nate Stoddard in the coming days. The goal is to have a qualified assessor in place at the conclusion of the grievance process, along with a local clerk to handle the routine office tasks.

Matt noted that reappraisals were mailed to all West Windsor property owners and should have been received at this point. Anyone with questions or concerns is encouraged to contact the Listers office at 802-484-3113 or via email at lister@westwindsorvt.org.

14. Highway Foreman's Report

Mike Spackman stated that spring grading is complete, and that some replacement culvert installations will begin next week.

Jonathan Nichols will begin part-time employment with the Town to handle some of the Town's roadside mowing needs.

The Cross Road grant project is complete, and Mike said that the grass is green and growing already. As the final invoices are received, Matt F will submit the grant paperwork to the state.

Mike stated that he and Chris Yurek of the Mount Ascutney Regional Commission have a meeting on June 4th to discuss MRGP funding.

The Highway Department will remove the fallen tree from the Town Hall lawn, and Mike noted that they will also remedy the mud pit at the end of the parking lot by installing gravel.

There was a discussion on the Highway Department recruitment for their open position and a recap of the highlights from the recent Vermont Municipal Equipment Show & Field Day.

15. DRB Appointment to Fill Vacancy

Note: The Zoning Bylaw Review was moved down the agenda and followed Town Hall Painting.

Zoning Administrator Deb Shearer noted that there has been a vacancy on the Development Review Board following Dick Beatty's resignation in October 2023. Deb stated that the DRB has recommended that West Windsor resident Ryan Thompson be appointed to fill the vacancy.

John Brodie motioned to appoint Ryan Thompson to the Development Review Board, with a term to expire on December 31st, 2024. Mark Harley seconded the motion, and all were in favor.

16. Better Connections Grant Update

Matt F stated that community meetings for Brownsville: Between the Bridges and Beyond will begin in the second week of June to solicit feedback from business owners and the community at large, and that there is an initial virtual conversation scheduled on June 6th for the current members of West Windsor boards and committees to learn about the project.

The website for the Brownsville: Between the Bridges and Beyond project [can be found here](#). There is also a public survey which can be filled out by any interested party at [this link](#).

17. Town Hall Painting

Mark Higgins spoke about the previously approved expenditure of ARPA funds to paint the wooden portions of the Town Hall exterior in its capacity as an emergency shelter to prolong the health of the building. There was a discussion relating to the benefit of including the entire building in the currently approved project to save on having to rent the lift an additional time to finish the remaining two sides of the building, a cost savings of approximately \$3,100.00, as well as to get ahead of the likely rising costs in the future.

Mark Higgins mentioned that there is some concern that the state processing of hazard mitigation grant projects is running behind schedule, to the point that the State of Vermont may miss out on the available federal funding for such projects. Were this to occur, it could potentially jeopardize

the timely availability for the funding of projects identified in the current flood mitigation study being conducted by Fitzgerald Environmental Associates.

Mark Harley mentioned that it may be possible to fund the difference between the approved Town Hall painting figure of \$13,000.00 and the complete exterior painting quote of \$25,000.00 from the current budget to avoid using additional ARPA funds if necessary. The Selectboard will review this option in depth during the second quarter budget review.

John Brodie motioned to authorize Mark's Painting to complete the painting of the entire wooden exterior of the Town Hall in a total amount not to exceed \$25,000.00, to be paid out of the ARPA fund, with the caveat that the funding source for this project may be altered following the second quarter budget review. Mark Harley seconded the motion, and all were in favor.

18. Zoning Bylaw Review

There was a lengthy discussion regarding the proposed Zoning bylaw update. There was a review of the draft bylaw document, with proposed changes including exempting the Village Center from River Corridor regulations, language relating to rustic camps, and the potential removal of Short-Term Rental (STR) regulations from the Zoning bylaws in favor of a new town ordinance governing STRs, which would potentially allow for better enforcement of regulations.

Mark Higgins noted that, after reviewing numerous options, the current model West Windsor would like to investigate for emulation is used by the Town of Chester.

Deb Shearer stated that she believes there may be state legislation in the works to tax short-term rentals, as well, and spoke about the potential harm done by short-term rentals to the viability of long-term rentals and the current state of the housing market in Vermont.

Mark Higgins stated that this topic is likely to be considered at subsequent Selectboard meetings until the issue is settled. Mark stated that he would work to adapt the Chester ordinance to fit West Windsor, and that he would circulate the relevant documents for Selectboard review at upcoming meetings.

19. Other Business

Mark Harley gave an update to the public safety risk at the American Tower site at the top of Blood Hill. Mark mentioned that he had taken some recent pictures showing some repairs to the broken gate, but that most of the safety concerns remain.

Mark Higgins noted that a representative from American Tower had responded to his email notifying them of the risk at the Blood Hill tower, and that the representative stated that they had "contacted [their] operations team to address this concern immediately to prevent the safety concerns at this location."

The Independence Day Committee is selling raffle tickets to benefit Ascutney Outdoors and the Fourth of July celebrations. For more information or to purchase raffle tickets, interested parties may contact Linda Ley at parrishill@comcast.net.

20. Upcoming Meeting Schedule

The next Selectboard meetings will be held on June 10th and June 24th, as regularly scheduled.

21. Adjourn

Upon motion duly made and seconded, the Selectboard unanimously voted to adjourn at 8:54pm.

Respectfully submitted,

Matt Frederick
Town Administrator