

West Windsor Selectboard
Draft Minutes
November 13 & 14, 2017

Present on November 13: Win Johnson, Dick Beatty, Brett Myers, Mike Spackman, Cathy Archibald, Martha Harrison, Tom Kenyon, Dave and Tracey Dugdale, Amy Rusiecki, Heather Hoyns, Shelley Seward, Steve Crihfield, Bob French, Deb Shearer

Present on November 14: Win Johnson, Dick Beatty, Brett Myers, Martha Harrison, Glenn Seward, Steve Crihfield, Deb Shearer, Michael Bell, Jim Lyall

- 1) Call to Order – Selectboard Chair Dick Beatty called the meeting to order at 6:30 PM.
- 2) Changes or additions to the agenda – consider the VT 100 event application before the Town Clerk’s Report; add the following to “Other Business”: Ragnar event, Contract extension agreement, vault space, benefit policy for elected officials, Library budget
- 3) Announcements/Public Comment – None
- 4) Event application by Vermont Adaptive Ski & Sports for the Vermont 100 Race at 1850 Silver Hill Rd. from Thursday, July 19, at 9:00 AM until Sunday, July 22, at noon – Dick noted that the application was received on November 8th and placed on tonight’s agenda. Dick added that the Selectboard received a request to have consideration of the application continued for a month. Dick suggested that the Selectboard hear the applicant and anyone interested in speaking for or against the application, but postpone any decision on the application until their next meeting on November 27th. Dave Dugdale objected and said it would be hard for their attorney to respond to the applicant if they’ve already presented their case. Tracey said if the application was submitted on Monday, that wasn’t more than 10 days. Martha said agendas have to be posted 48 hours in advance. Amy Rusiecki spoke about the organization’s efforts to find another location in West Windsor. If the event were moved to the mountain, Amy said, they would lose the horse portion of the race and the VT 100 is the only race in the country that still includes both runners and horses. Amy said the application includes information about the accommodations the organization has made to address abutters concerns about traffic and noise. Heather Hoyns noted that the VT 100 set up some noise monitoring devices two years ago and there was more noise two days after the event than there was during the event. Steve Crihfield said Ascutney Outdoors enthusiastically supports the event but agrees that the mountain is not the right venue for it. Win said he was hopeful that the event could be moved to the mountain but, after doing a site visit with the event organizers and others, he reluctantly agrees that the mountain is not a suitable venue. Win said there is no provision in the ordinance for a multi-year permit and he would not be in favor of that. Win asked why the number of participants went from 600 to 1,000. Amy said last year they were just reporting the race participants but there are additional support people on site. Win asked how many bands participate in the event. Amy said they haven’t had any bands for about five years. Win asked Amy if the event organizers met with abutters after this year’s event. Amy said no. Win said he thinks it would be a good idea. Win asked if vehicles are going to be parked at the upper end of the field this year, as they were last year. Heather said that was done to be as far away from the abutters as possible. Win said the map provided with the application shows the horse trailer parking at the lower end of the field. Heather said they will provide a revised map and site plan at the next meeting. Win said he would also like the event organizers to talk with the neighbors before the next meeting. Dick agreed that the ordinance does not allow for multi-year permits and he would not be in favor

of that. Dave said they appreciate the efforts the organizers have made but this is a highly disruptive event. At this point, Dave said, their complaint is with the town because they don't think the town is following its permitting process, zoning regulations, or town plan. Win said he has asked Matt Birmingham if there's a legal reason why the town should not be permitting this event and he is waiting for Matt to get back to the Selectboard with his opinion on that. Tracey said this past year she counted 550 vehicles on Sunday at 12:30 PM. Dave said the problem is that the event is 24 hours a day. Brett asked the Dugdales if they would be okay with the event if it is determined that there is no legal reason why it cannot be permitted. Tracey said she is never going to be okay with it. Dave said they have to close all their windows on the hottest weekend of the year, with no air conditioning, because otherwise their dogs bark 24 hours a day for three days. Dave said, in the past, the town has argued that the General Store depends on the VT 100, but the store is closed now; the resort is the only business that benefits from the event and, if it were moved to the mountain, they would get more business. Brett said it doesn't sound like that's an option. Last year, Dave said, the event organizers indicated that they have an alternative location in Weathersfield; they don't want to move the event, but they could. Dave noted that the event was in Hartland for 10 years before it moved to West Windsor. Tracey said the horses don't need a place to graze because their owners are giving them hay. Heather said some people hand graze their horses. Heather added that there's not a lot of noise at night; the race starts at 4:00 in the morning for the runners and 5:00 in the morning for the horses. The earliest that participants come back is around 9:00 PM. Tracey said there is less traffic, but it's still continuous even though the road is closed. Dick moved to continue discussion of this application on November 27th. Brett seconded the motion, which passed unanimously.

- 5) Town Clerk/Treasurer's Report – Cathy said Nancy Gaynor wouldn't mind if the Selectboard appointed someone else as Health Officer when her term expires at the end of the month. Win said he will check with Amy Kantola to see if she's interested.
- 6) Sign Town Clerk's orders – Dick suggested signing orders at the end of the meeting.
- 7) Consider NEMRC (New England Municipal Resource Center) computer recommendations – Win said we don't have to make a decision on how the computers are networked tonight but NEMRC has recommended the Cloud.
- 8) Consider authorizing purchase of new computers – Win said all the estimates that Martha got would be compatible with the new networked system. **Win moved to purchase two new Lenovo computers from Competitive Computers. The motion passed unanimously.**
- 9) Ragnar event – Dick said he would like to meet with those who are interested in having the town and Ascutney Outdoors host this trail relay event. The Selectboard agreed to continue tonight's meeting tomorrow at 6:00 PM to discuss the event further with interested parties.
- 10) Discuss Blaktop paving estimate – Win said the estimate for re-surfacing the Landino's driveway is around \$8,200 and he would suggest that the town consider contributing \$1,620 to that cost, due to the fact that the trench patch is only a portion of the area to be re-surfaced and the pavement had deteriorated before the sewer project began. **Dick moved to offer the Landinos \$1,620 toward the resurfacing of their driveway. Win seconded the motion, which passed unanimously.** The Selectboard agreed that the \$900 estimate for re-paving the walkway at the school is reasonable. **Win moved to communicate that to the School Board. Brett seconded the motion, which passed unanimously.**
- 11) Highway Foreman's report – Mike said they're cleaning ditches and culverts and will be updating the culvert inventory this fall. Mike said he met with someone from Regional Planning today regarding the project on Blood Hill Road, and he will meet with a contractor tomorrow to get cost estimates.

- 12) Approve signing Better Roads grant application for Blood Hill Road project – **Win moved to approve the application for a Better Roads project on Blood Hill Road, with the application to be completed by Martha and Mike in time for submission. Brett seconded the motion, which passed unanimously.**
- 13) Firehouse Dam Removal Project Selection Committee recommendation – Martha said the Regional Planning Commission got several bids on the project, and would like someone from the town to be on the Selection Committee. **Dick moved to recommend Mike Spackman for the Selection Committee. Win seconded the motion, which passed unanimously.** Win said he has some big rocks that he would be willing to donate for the project.
- 14) Consider approving new private road name – Martha said, regarding the subdivision that was recently approved off Brownsville-Hartland Road, because the driveway is going to serve three lots, it has to become a named private road. The two current property owners agreed on the name “Stone Meadow Lane” and Mike Spackman and Nancy Gaynor have no problem with that. **Win moved to name the new private road Stone Meadow Lane. Brett seconded the motion, which passed unanimously.**
- 15) Discuss West Windsor radio communications – Win said he recently attended a meeting of the Electronic Communications Association (ECA) at Jim Kenyon’s request. Win noted that the town owns three radio frequencies and is responsible for maintaining the associated equipment and renewing the licenses before they expire in 2022, 2024 and 2025. Win provided some written information about the frequencies. Tom asked to have the information included with tonight’s minutes. **Dick moved to have Win’s research on radio communications made part of tonight’s minutes. Win seconded the motion.** Tom said after the storm on October 29th, the communications system was the only thing that was working; the sewer system wasn’t working and the water system wasn’t working. Win said it’s bothersome when you buy new generators and they don’t work. Tom said Brook Field is going to stock the spare parts for the generators from now on. **Dick called for a vote on the motion, which passed unanimously.**
- 16) Water system update – Power outage problems: Martha said there were quite a few problems with the water system after the storm and the power outage. For example, Martha said, Reservoir #1 overflowed because it wasn’t communicating with the well pump, and the Mission system didn’t know what was going on; it said both pumps were running when neither one was running. Martha said Patricia called John Arrison and he came and fixed the problem, so it’s working normally now. Total Water Project Cost: Win said the water project ended up costing \$606,560, against which we have a loan of \$575,000, so the excess that will come out of the water system reserves is \$31,560. Total Sewer Project Cost: Win said, for the sewer project, we’re going to take down just under \$970,000 in bond funding, so we’ll have to budget \$43,304 in debt service starting next year. Win said this assumes we get our pollution abatement grant funding, which has been approved, but the state is slow in signing the paperwork. Win is concerned about getting the grant in time to pay down our loan before the first debt service payment is due. Mike said, at the request of the Water Operator, the highway department put in a riser for a valve that was under the road about 12’.
- 17) Adopt Water Ordinance – Tom said he’s had several calls from water users who would like the Selectboard to postpone adoption of the ordinance so they have more time to review it. Tom said it’s his understanding that they’re circulating a petition. Win said he’s willing to wait a little longer. Win said there’s an advisory committee meeting a week from today at 4:00 PM, so we could put the ordinance back on the agenda for November 27th or December 11th. Dick suggested November 27th. **Win moved to defer adopting the water ordinance and the resolution establishing the Utility Advisory Committee until November 27th.**

Brett seconded the motion, which passed unanimously. Win suggested skipping over the next agenda item. Win noted that, if the Selectboard adopts the ordinance and the resolution, the first meeting of the reconstituted advisory committee would be in January. Win said he and Matt meet with the attorney for the property owners association and he thought they were on the same page, but he hasn't heard anything since then. Dick said he has not heard any complaints about the water ordinance.

- 18) Adopt Resolution establishing the West Windsor Utility Advisory Committee – This item was deferred until November 27th. See #17 above.
- 19) Consider scheduling joint meeting with Utility Advisory Committee – The Selectboard agreed to pass over this item for now.
- 20) Review draft FY 2018 Utility Budgets – Win provided draft budgets for sewer and water. Win noted that he allocated 10% of Martha's time to the sewer budget and 20% to the water budget. Win said in 2018 the water system starts paying debt service on the \$575,000 loan for the water project, and the sewer system starts paying debt service on the loan for the sewer project. Win noted that both systems are running surpluses. Tom asked if the Selectboard has budgeted for emergency power at the well. Win said we're doing an asset management plan to see what our capital improvement needs are but one of those things will be a generator. Win said the water line under the Ski Bridge is also an issue. Following the water system improvement project, Win said, the state required the town to do a hydraulic analysis and long range plan, which we are currently doing. Win said we need to do a long range plan for the sewer as well. Tom said he was told there was a sewer overflow after the storm. Martha said there was a small overflow at pump station #1 and Windsor reported it to the state. Win suggested getting a report from Windsor.
- 21) Town Budget Development Schedule – The Selectboard scheduled budget meetings for December 5th, 12th and 19th at 6:00 PM. Tom said state statute requires small libraries to be open 10 or 12 hours per week, which may affect their budget. Mike said the Fire Department budget will not be ready until after December 19th.
- 22) Schedule public hearing on Zoning & Subdivision Regulations – **Win moved to schedule a public hearing on the regulations for December 11th at 6:30 PM. Brett seconded the motion, which passed unanimously.** Dick asked if the Selectboard has the final draft. Deb said she emailed it to the Selectboard this afternoon and will print it out tomorrow.
- 23) Consider Conservation Commission recommendation re: property donation offer – **Win moved to accept the Conservation Commission's recommendation. Brett seconded the motion.** Dick noted the property is off Churchill Road. **Dick called for a vote on the motion, which passed unanimously.**
- 24) October Police Report – No comments
- 25) Status of dog complaint – Dick noted an email from Chief Sampson stating that they are still trying to get in touch with the dog's owner.
- 26) Status of speed sign – The sign could not be placed as planned on October 30th due to the storm and power outages.
- 27) Other Business – Contract extension agreement: Martha said the town has a contract with the Regional Planning Commission to do a Hazard Mitigation Plan for us and the contract expired on October 31st. The agreement will extend the contract through May 26, 2018, which is the end date for the grant. **Win moved to authorize the Chair to sign the agreement. The motion passed unanimously.** Vault space: Tom asked the Selectboard to allow him to investigate an extension of the existing vault. Win asked if we have a problem that files won't solve for the time being. Tom said this is a long-term solution. Win said he'd like Tom to see if we can use some of the space in the furnace room as well. Elected

officials: Tom said if elected officials get voted out of office, their time goes away so we need to have a policy. Win said Cathy is covered by the personnel policy and asked why her benefits are not vested if the benefits for other employees are vested. Win asked Tom to come back with a suggestion.

- 28) Approve Minutes – October 23rd: **Win moved to approve the minutes. Brett seconded the motion, which passed unanimously.**
- 29) Town Clerk's report (continued): Assistant Town Clerk resignation: Cathy said Charlene has resigned as of November 30th. Win said this puts Cathy in a bind because she has accrued time. Cathy said she is taking three days this week, but she's going to have 17 ½ days left. There was discussion about Cathy carrying them over or "cashing out." Win asked Cathy to submit something for the Selectboard to approve. Emergency Management Coordinator: Cathy reminded the Selectboard that Jim Kenyon would like them to find someone to replace him. Win said they've approached someone, who is considering it.
- 30) Recess meeting – **Win moved to recess the meeting and continue it tomorrow at 6:00 PM. The motion passed unanimously.**
- 31) Reconvene meeting – At 6:00 PM, the Selectboard reconvened the meeting that was recessed last night to discuss the possibility of the town and Ascutney Outdoors hosting a Ragnar Trail Race. Dick was concerned that the exclusive use provision of the agreement might violate existing easements and covenants. Glenn said Michael spoke with John Roe at the Upper Valley Land Trust. Michael said John Roe had no concerns. Michael also noted that it's not uncommon to close the trails to the public when there's an event going on. Dick asked for clarification on that point. Win suggested that the Ragnar event organizers get licenses from the private landowners whose land will be used. Win asked about camping. Michael said they want to have the camping in the main parking lot. Steve said there would be 1,500 to 2,000 participants. Michael said that's correct, if they meet their expectations. Michael said their main concern is finding off-site parking. Glenn suggested the school. Dick asked where the trailer would be parked. Jim said probably on Ascutney Outdoors (AO) property. Win suggested putting the fire pit on AO's property. Glenn said that will depend on the condition of the site. Dick suggested parking the trailer on the maintenance parcel if they want it out of the way. Martha asked if they will bring in water. Michael said one of their questions was whether we will provide a water supply or they will have to bring in a water truck. Michael said they estimate their water use at 4,000 gallons for the entire event. Jim said they have experience running events where there's nothing available so they're used to bringing in water or power. Martha asked if the water would just be for drinking, not showering. Steve said the Climb Fitness Center can provide showers. Dick asked about electricity. Glenn said AO will have its electrical service and plumbing in by then. Martha said all the water is coming from the same source so if 2,000 people are showering, that's another 20,000+ gallons. Michael said their estimate is 1,500 to 4,000 gallons for the entire event. Martha said that seems low. Dick asked if they expect AO to provide volunteers. Michael said if we provide volunteers, they will make an additional donation. Michael said they need a local point of contact, which will most likely be he and Jim. Dick asked if the town will have to sign an agreement for the parcels that are not part of AO's lease. Glenn said he would think so. Dick asked if they're going to have a licensed alcohol vendor. Michael said yes. Win said there would still have to be an event application. Glenn asked about ATV use on public roads. Win said if they're licensed, it shouldn't be a problem. Dick said the town will look into whether or not the town can enter into an agreement that involves the use of town roads by unlicensed ATVs. Win suggested calling the DMV. Jim noted that the organizers are providing their own EMTs for the event. Dick asked if Windsor will provide police coverage.

Michael said yes; he'll give the organizers Windsor's contact information. Dick asked about noise. Win noted the event would have to comply with Act 250 limits on noise. Win asked about the fire pit proposed for the event. Michael said they also propose three camp fire pits. Michael said they put down an insulating mat and then a layer of sand and the fires will be staff supervised. Steve asked if there are Act 250 limitations on fires. Glenn said he doesn't believe so. Glenn noted that there are no restrictions on fires in the permit for the AO Center. Win asked if the bonfire will be on town land. Glenn said if it's in the event area, it will be. Dick said he'd like more information on the exclusive use clause. Michael said John Roe had no concerns as long as new trails are not being built. Glenn suggested talking with Ted Siegler since he negotiated the conservation easement. Win asked if Michael has checked the event's references. Michael said he called Northfield Mountain Recreation Area, which is where this event was held for the past couple of years, but they have not returned his call. Michael said he has talked with Harpoon, since Harpoon has sponsored some of the Ragnar events, and he got nothing but positive feedback. Steve asked Dick about the provisions for injunctive relief (48(i)), damages for lost profits (47(b)), etc. Dick said the town would want to have that clarified before signing an agreement. Dick said you can negotiate terms unless they say "take it or leave it." Win asked Michael to follow up with Northfield. Dick said the town will ask Matt to look at the terms and conditions of the agreement, and AO will talk with Ted Siegler. Michael said he will talk to Ragnar about an agreement for the parking area and the maintenance parcel. Steve said there are a few areas that need clarification. Michael asked the town to find out about using ATVs on town roads. Win asked Michael if he has notified the hotel. Michael said he has spoken with them. Steve noted a contradiction in the agreement regarding who takes care of permitting.

32) Other Business – Brownsville General Store: Dick noted that the store is going to be auctioned off on January 17th or 18th.

33) Adjourn - **Win moved to adjourn at 6:45 PM. Brett seconded the motion, which passed unanimously.**

Respectfully submitted,

Martha Harrison