

West Windsor Selectboard
Draft Minutes
November 7, 2016

Present: Dick Beatty, Tom Kenyon, Win Johnson, Mike Spackman, Deb Shearer, Amy Rusiecki, Dave Dugdale, Heather Hoyns, Laura Farrell, Susan Hines, Brett Myers, Sue Greenall, Mike Doten (VT Adaptive), Pam Carner (VT Adaptive), Jim Yates, Shirley Ouelette, Dan Kogut, Nancy Gaynor, Laura Stillson, Martha Harrison

- 1) Call to Order – Selectboard Chair Dick Beatty called the meeting to order at 6:30 PM.
- 2) Changes or additions to the agenda – Table items 4 & 5 because the Town Clerk is not present and there are no orders to sign.
- 3) Announcements/Public Comment – Tom noted that the septic work at the school is done. Tom also noted that some paving was done on Route 44.
- 4) Town Clerk/Treasurer’s Report – tabled
- 5) Sign Town Clerk’s orders – tabled
- 6) Application for Public Assembly by Vermont Adaptive Ski & Sports for the Vermont 100 Race at 1850 Silver Hill Road from Friday, July 14, at 9:00 AM until Sunday, July 16, at noon – Amy Rusiecki said the event is essentially the same as last year. Mike Doten thanked the town for its past support of the event and talked about the mission of Vermont Adaptive Ski & Sports. Pam Carner introduced herself; she is now managing the equine portion of the event. Dick asked Amy to summarize the application and attachments. Amy talked about efforts to reduce the impact of the event on neighbors, which include changes in directing traffic and the promotion of the solo division, which cuts down on the number of support vehicles involved in the event. Amy also noted that the finish line was moved into the woods a few years ago to cut down on noise, and noise makers are not allowed. Amy said she’s aware that the town has purchased land at the resort and would like the Vermont 100 to use that location but, at least for this year, with the burned-out lodge still there, it wouldn’t work. Amy said she provided the Selectboard with a list of improvements that would need to be made to make the resort area workable for the race. Before the event moved to Silver Hill 12 years ago, they were at Smoke Rise Farm. Win asked Amy to clarify the number of people involved. Amy said there are 400 participants but there are also 200+ volunteers, some at the main event area and some at aid stations along the race course. Win asked when horses begin to arrive. Amy said some of the horses arrive on Thursday. Pam said participants are limited to one crew vehicle per entry. Win asked about emergency access. Heather said there are four routes. Amy described the events emergency medical plans. Win asked about the agreement between the event organizers and the landowners, which states that the event organizers have received “consideration” for indemnifying the Rojeks. Amy said she will inquire about that with legal staff at Vermont Adaptive. Regarding the list of improvements needed to make the mountain a useable space for the event, Win asked about the statement that “there will be music and cheering all night long.” Amy clarified that there is no longer music but participants are cheered when they cross the finish line and that does happen throughout the night. Win said he would love to see this race move to the public event space that we are trying to develop at the mountain. Although he realizes that the move can’t happen in time for this summer’s race, Win said he hopes the town, Ascutney Outdoors and Vermont Adaptive will work together to try to make that happen in 2018 and subsequent years. Pam expressed concern that noise would be an even bigger problem at the mountain because there are more neighbors. Pam said the race organizers have identified another location in another town but they would prefer to stay at Silver Hill. Dick noted that the

agreement with the Rojeks is for 2016, which he assumes is a typo. Dick asked if the event organizers have thought about separating the horses and the runners. Heather said yes but this is the only 100-mile event in the world that combines horses and runners. Heather said separating the event would require separate venues for food, awards, etc. which would create even more traffic. Nancy Gaynor said there are no concerns with regard to emergency access. Mike Spackman had no concerns with regard to the roads. Dave Dugdale said he is present to make his annual request to the town to move the event to another location. Dave said he has nothing against the event or the organization that runs the event but it shouldn't be in a rural residential district. Dave acknowledged that the changes made have been helpful in reducing the impact, but an event like this should take place in the resort area. Dave said this event operates in his front yard 24 hours a day for three days. Dave said the people who bought property at the resort did so with the understanding that there would be activities in the area. Win asked about other permits for the event. Amy said they get a state fish & wildlife permit and a permit for crossing the Appalachian Trail. **Win moved to authorize the Vermont 100 event for 2017. Tom seconded the motion, which passed unanimously.**

- 7) Consider Event Ordinance amendments to address public notice concerns – Win suggested three amendments to the recently adopted Event Ordinance to address concerns about public notice. Deb asked if AO, for example, can satisfy the notice requirement with emails or with notice to the various property owners associations in the area. Win said it could include emails, posters, or other means and would not have to include mailing a letter. Win said it would be up to the applicant to come up with a plan. Dick agreed that mailing a notice to all abutters would be expensive. Win said the plan would vary according to the size and scope of the event. For a wedding, Win said, the applicant could just verbally notify neighboring property owners. Win asked about the economic benefit of the Vermont 100 to the town of West Windsor. Deb said Mike Silverman had a study done and the benefits were impressive. Deb noted that the Vermont 100 is a big deal; and is part of the Grand Slam of ultra-running. There was brief discussion about the challenges and opportunities presented by the mountain location. **Win moved to approve the amendments to the Event Ordinance. Tom seconded the motion, which passed unanimously.**
- 8) Access to Ascutney Outdoor's warming hut & W. Windsor Mtn. Water System – Mike said the estimate to replace the culvert includes \$2,562 for the culvert; \$1,120 for the excavator; \$176 for the loader; \$600 for the dump trucks; and \$104 for the one-ton, for a total of \$4,562, not including material. Mike said the alternative – improving the existing road to make it accessible by emergency vehicles – would take 178 cy of material at \$14.48 per cubic yard for a total of \$2,577; \$672 for the grader; and \$1,800 for the dump trucks, for a total of \$5,049. It was noted that the town, the water system and Ascutney Outdoors will all need to use the access. Tom suggested widening the road. Win suggested doing the minimum amount of work now and waiting to see if AO purchases the Base Lodge. If they do, the town can consider accessing the water system over the Base Lodge parcel. Mike said we can't wait too much longer to do the work if we want to improve the access before winter. **Dick moved to approve the improvements to the access road, with the cost of the improvements to be shared by the water system, Ascutney Outdoors and the town. Win amended the motion to limit spending on the access to \$5,000 and to place a barrier across the other entrance to the property. Dick called for a vote on the amended motion, which passed unanimously.** Tom asked about the source of funds for this work. Win said we don't have a budget for this property and we have expenses, which is why he'd like to sell some timber. Laura offered to provide equipment to help with the project if it would lower AO's share of the cost. Mike asked about maintenance, including plowing and sanding. Win said the town is going to have to plow it for

access to the water system and for emergency access. Laura noted that AO has agreed to provide transportation for water system staff from the top of the access road to the reservoir. After discussion, it was agreed that the town will plow the road with the one-ton and allocate the cost between the town and the water system.

- 9) Improvement & maintenance of access road – See #8 above.
- 10) Highway Foreman’s Report – Mike said the sand is all in and the highway department is still blowing leaves out of ditches and planning to take some trees down. Mike noted a serious issue with the calcium chloride tank when the calcium chloride crystalized in the tank and nearly caused it to split. Mike said the company that sold the chloride to the town came out and resolved the problem. Win asked which trees the highway department takes down and which trees the Tree Warden has taken down. Mike said the highway department takes down hazard trees that can be taken down without the involvement of Green Mountain Power. Mike said the highway department usually works from 7:00 AM to 3:30 PM in the winter but they would like to stay on a 6:00 AM to 2:30 PM schedule year round. Win said he thinks the Selectboard should defer to Mike as the Foreman. Tom said if the crew is okay with it, he doesn’t have a problem with it. Mike said he has not checked with Phil yet, but the others are in favor.
- 11) Discuss consolidated speed limit ordinance – Martha said she has questions about the traffic study done for the resort roads but an ordinance was passed more than five years ago so the speed limits are valid. Martha was concerned that a new ordinance would invalidate the existing speed limits. Win said it’s not really a new ordinance, it’s a consolidation. Martha said the consolidated ordinance does not include Harrington Road, Bible Hill, Coaching Lane and Coaching Lane Extension because they have no traffic study and no existing ordinance. Win said we’ll have to have traffic studies done for those roads and then amend the ordinance. Martha said we’ll have to have a study done on Hotel Road too. Martha said we have an ordinance stating that the speed limit on all unpaved roads is 35 MPH unless otherwise indicated. Mike said we should have signs stating that on all roads entering West Windsor. **Win moved to adopt the speed limit ordinance, with the addition of the original adoption dates for each road. Tom seconded the motion, which passed unanimously.**
- 12) Discuss Fire Department’s equipment needs – See item #13 below.
- 13) Review draft capital budget – Win said he reviewed the budget with the Selectboard this morning. Tom said he is concerned about combining the Paving Fund and the Road Refurbishment Fund. Win said the town would have to vote on that. Mike said he thinks the town and fire department budgets should be separate. Win agreed but said, if the town takes out a loan to buy the tanker, the town may have to retain title for the duration of the loan, with an agreement that the town owns the equipment and the fire department operates it.
- 14) Water project update – Tom said we’re waiting on the control panel for the booster pumps.
- 15) Discuss net metering agreement – Dick said the Selectboard met with counsel by conference call and he thinks we’re very close to an agreement; we just need to get the information for the new meter. Win asked how we get to the school since they have to be a signatory. Deb said the School Board is “in the weeds” with Act 46. Dick said if the School Board is not interested in participating, we need to know that. There was general discussion about the terms of the agreement and the benefits of participating. Deb said she will contact the School Board Chair, Elizabeth Burrows. Martha said the School Board and Ed Connors have a copy of the agreement. Martha suggested asking the School Board if Dick can discuss the agreement with them at their next meeting. Dick agreed.
- 16) October Police Report – Win asked about the fraud noted on the report. Martha said it could simply be someone calling the police about a phone scam.

- 17) Upcoming Tax Sale – Tom said there's a ¼ share condominium up for sale and John Springer suggested that the town bid on it for the taxes due. Win said he would want to get the Town Attorney's opinion. Dick said he would shy away from bidding on it.
- 18) Request to move grave site: Sheddsville Cemetery – Tom said family members of someone buried in the cemetery would like to purchase adjacent lots but there are no adjacent lots available so they'd like to move the remains to another lot and sell the vacated lot back to the town. Dick asked if the work would be done at the family's expense. Tom said yes. **Win moved to approve the relocation, provided there's no cost to the town. Tom seconded the motion, which passed unanimously.**
- 19) Other Business – None
- 20) Approve Minutes – October 24: **Tom moved to approve the October 24 minutes, with an amendment to item #12. Win seconded the motion, which passed unanimously.** October 28: **Tom moved to approve the minutes of October 28, as written. Win seconded the motion, which passed unanimously.**
- 21) Adjourn – **Tom moved to adjourn at 8:45 PM. Win seconded the motion, which passed unanimously.**

Respectfully submitted,

Martha Harrison