

**Town of West Windsor
Selectboard Meeting Minutes
Monday, October 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, Anne Currin-Russo, Todd Hindinger (Heritage Engineering), Jason Rasmussen (MARC), Mark Morse, Yulia Moskvina, Dennis Lemire, Claudia Sacuk, Win Johnson

Present via Zoom: Mary-Anne Boyce, Susan Yost, Jill Crowley, Linda Ley, Martha Harrison

1. Call to Order

A quorum being present, Mark Higgins called the meeting to order at 6:31pm.

2. Changes or Additions to Agenda

Item #18, Quarter 3 Budget Review, will be tabled until the next Selectboard meeting.

3. Announcements/Public Comment

West Windsor resident Mark Morse noted that the West Windsor Sewer System line along Route 44 adjacent to his Tiny House project doesn't extend in such a way as to allow easy access to the existing sewer infrastructure. Mark asked if the town or the property owner is responsible for any necessary changes to allow the connection. The sewer line currently sits at the edge of Route 44, potentially requiring a lane closure of the road and construction work under the roadway to complete the installation. Mark Higgins stated that he will investigate this issue as it pertains to the West Windsor Sewer Use Ordinance and will reach out to Mr. Morse with a follow-up.

West Windsor resident Yulia Moskvina posed a question regarding the distinction between a short-term rental and a lodging establishment. There was a discussion on the definition of each, with short-term rentals typically offering one or two rooms or units, and lodging establishments offering three or more rooms or units (or less if they also serve prepared food). As the Tiny House project will offer five units on the property, it qualifies as a lodging establishment rather than a short-term rental.

Peter Varkonyi thanked the West Windsor Selectboard and the Windsor Police Department for their support of the Fire on the Mountain event. Peter noted that with 983 tickets sold and approximately 700 concurrent guests at its peak, the inaugural Fire on the Mountain event exceeded all expectations. Mark Higgins gave his appreciation to Peter and all the organizers for the successful event.

4. Approve Minutes of 9/23 & 10/21

Mark Higgins noted a misspelling of the name of an attendee in the September 23rd Selectboard Meeting draft minutes. This error will be amended for the final meeting minutes.

Mark Harley motioned to approve the Selectboard Meeting minutes of September 23rd as amended above and the minutes of October 21st as written. John Brodie seconded the motion, and all were in favor.

5. Town Clerk's Report

Town Clerk Amy Yates presented various orders for Selectboard signatures.

Amy stated that she spoke with staff in the Bridport, VT Town Office regarding Bridport's fiscal year change several years ago. Amy noted that they recommended one 18-month budget for the transition period, with taxes to be collected on a 6-month cycle. There was a brief discussion regarding tax payments and collection deadlines.

There were 89 parcels with tax payments that missed the deadline, many of which were delinquent due to late payments from banks and lending institutions. Taxes are due by the close of business on the last Friday of October each year, with the specific date being set at Town Meeting each year.

General Election mail-in ballots are being received daily. Amy estimated that approximately one third of the overall mailed ballots have already been received from West Windsor residents as of Monday, October 28th. The polls will be open from 10:00am to 7:00pm on Tuesday, November 5th, at Story Memorial Hall.

6. King's Highway Class IV Culvert Repair

There was a brief discussion regarding a failed stone culvert on the Class IV section of Duling Rd (rather than King's Highway, as originally understood), at snowmobile marker 5B. Highway Foreman Mike Spackman stated that he has repaired the top of that stone culvert already, so that section of snowmobile trail will remain accessible.

7. Moonlighter's Snowmobile Club – Trail Reroute

West Windsor resident Dennis Lemire stated that section 5A of the Moonlighter's snowmobile trail system needs to be rerouted and will no longer cross Cross Road. Dennis will complete a Highway Access Permit for a proposed new crossing, which will be submitted for future Selectboard consideration.

There was a brief discussion regarding an old road near Kristian Kurtzhalz's property, and whether it is a Class IV road or a legal trail. Mike noted that it used to be part of Blood Hill Road before he joined the Highway Department in the early 1980s, prior to the current location of Blood Hill Rd, and that it is now private property.

8. Discussion: Weeden Hill Speed Limit

Town Administrator Matt Frederick stated that he and Weeden Hill resident Phil Russo discussed the traffic on Weeden Hill Rd. Mr. Russo believes that the usual traffic on Weeden Hill Rd is traveling at unsafe speeds for pedestrians and equestrians also utilizing the road. Anne Currin-Russo detailed their request for additional speed limit enforcement and the potential hazard from the current typical traffic speeds.

Matt noted that the West Windsor Speed Limit Ordinance currently sets the speed limit for all unposted dirt roads at 35 miles per hour. The State-defined process for lowering the speed limit to below 35mph includes completing a traffic study to determine the average speed of traffic on the road.

Jason Rasmussen of Mount Ascutney Regional Commission noted that MARC has a traffic counter that could be used to monitor traffic on that stretch of road. Matt will coordinate with MARC to place the traffic counter and will reach out to Chief Frank of the Windsor Police Department as necessary to pass along that there has been a request for additional traffic enforcement on Weeden Hill Rd.

9. BB&P Water Meter Study

Peter Varkonyi gave an overview of Butcher and Pantry's request to undertake a Water Meter Study to calculate the daily water usage at the store. Todd Hindinger of Heritage Engineering spoke about the State of Vermont's process for determining water usage based on the water design table in the Water Supply Rule and noted that there is an alternative approved method of utilizing water meter data in place of that table. The study would proceed for one year and the data collected would be submitted to the State of Vermont for analysis.

Todd stated that Heritage Engineering has installed the water meters at Butcher and Pantry and tested them to ensure that they are properly recording the data.

There was a discussion on the State's water design table, and how the table could be a poor predictor for water usage, as Butcher and Pantry has an unusual setup and uses compared to similar businesses. Peter stated that they will follow up with the Selectboard regarding the state's comments on the proposed study at a future Selectboard meeting.

10. Discussion: Act 181 (Village Center Designation & FLU Mapping) w/ MARC

Jason Rasmussen of MARC spoke about Act 181, which requires regional planning commissions to update land use mapping. MARC has been placed in charge of creating Future Land Use (FLU) mapping for the towns under their purview, which will affect Village Center designations and Act 250 exemptions.

There was a discussion on the buffer zone around the Brownsville Village Center, which is currently exempt from Act 250, as well as how the new FLU mapping could affect the West

Windsor Town Plan. Win Johnson spoke about the importance of the Town being involved with this process to ensure that we have a voice in the outcome.

This work is likely to occur over the next year and will heavily involve the Planning Commission and West Windsor officials. MARC will keep the Selectboard in the loop as the process evolves.

11. Land Use & Development Bylaws

A public hearing for the Land Use & Development Bylaws was held on October 21st. There was a brief discussion regarding the comments from that hearing, and no further changes were proposed.

John Brodie motioned to approve the West Windsor Land Use & Development Bylaws, to become effective on November 18, 2024. Mark Harley seconded the motion, and all were in favor.

12. Flood Hazard Area & River Corridor Bylaws

A public hearing for the Flood Hazard Area & River Corridor Bylaws was held on October 21st. There was a discussion on the comments from that hearing. Mark Higgins noted that the State of Vermont is planning to act on Flood Hazard Areas by 2028, but, considering the increase in flood events, waiting for the State to act puts the Town at risk in the meantime. There was further discussion regarding the approval process.

West Windsor resident Claudia Sacuk spoke about her recent meeting with an official from the State of Vermont regarding the process by which Flood Area Maps are drawn, and there was a discussion on that topic.

Mark Harley motioned to approve the West Windsor Flood Hazard Area & River Corridor Bylaws, to become effective on November 18, 2024. John Brodie seconded the motion, and all were in favor.

13. Discussion: ARPA Funds

There was a discussion regarding the remaining ARPA funds.

Jill Crowley of the West Windsor Sustainability Committee spoke about the potential for EV chargers in the Ascutney Outdoors parking lot. The Selectboard indicated that they would be open to considering a proposal for this project, though time is running out to complete an RFP process before the December 31st deadline to obligate all remaining ARPA funds.

14. Highway Foreman's Report

Highway Foreman Mike Spackman spoke about the continued theft of road signs in West Windsor, which has cost the town thousands of dollars in 2024 for replacement signs. There was

a brief discussion regarding the use of cloud-based cameras for monitoring the signs which have repeatedly been stolen.

The Highway Department will be applying for a 2025 Better Roads grant for a ditching project on Silver Hill Rd. Mike noted that Alan May of the Vermont Agency of Transportation, who has handled these grants for many years, is retiring.

The new 1-Ton truck will probably not be ready until 2025 due to staffing and personnel issues with the dealer. The Highway Department will continue to use the current truck until the new truck is ready for service.

15. Initial Highway Access Permit – Shearer (Parcel #02-010)

West Windsor resident Deb Shearer presented her interest in a highway access permit to serve a second lot adjacent to her main parcel. Deb noted the history of this second parcel, which included an unfinalized access that does not meet the standards for a public road with a 35mph speed limit.

As this access doesn't meet the sight lines required for approval under the current regulations, there was a discussion relating to the options available for moving the request forward, which could potentially include a traffic study on Yale Heights Rd. There was a brief discussion regarding temporary access for potential logging and development of that lot.

John Brodie motioned to approve a temporary agricultural access on Parcel #02-010. Mark Harley seconded the motion, and all were in favor.

16. Personnel Policy Review

John Brodie spoke about contracting with an outside firm to move forward with a personnel policy. John noted that there is a proposal for \$3,500.00 from OneDigital for the crafting of a new personnel policy for West Windsor, and he will pursue additional proposals.

Further discussion of the proposed personnel policy will continue at future Selectboard meetings.

17. September Windsor PD Log Review

There was a brief discussion on the Windsor Police Log for September, with no specific items to note.

18. Quarter 3 Budget Review

This item will be tabled until the next Selectboard meeting.

19. Other Business

Mark Harley noted that he will be meeting Deb Shearer, Deb Spackman, and Matt Frederick on Tuesday, October 29th for a GIS mapping and parcel data discussion.

20. Upcoming Meeting Schedule

The next regularly scheduled Selectboard meetings will be held on November 11th and November 25th.

21. Executive Session

Upon motion duly made and seconded, the Selectboard unanimously voted to enter executive session at 8:53pm for the reasons set forth in 1 V.S.A. § 313(1)(E).

The Selectboard came out of executive session at 9:10pm.

22. Final Decisions

No decisions to note.

23. Adjourn

Upon motion duly made and seconded, the Selectboard unanimously voted to adjourn at 9:10pm.

Respectfully submitted,

Matt Frederick
Town Administrator