

## PUBLIC NOTICE

The Winhall Board of Selectmen will meet  
Wednesday,  
January 14, 2004 at 5:30 PM  
in the Town Hall located at 3 River Road,  
Winhall, Vermont 05340-0420

For  
Budget work session  
Finalize all Departments Budgets

Questions call  
(802) 297 2119

## PUBLIC NOTICE

POSTED THIS January 12, 2004  
Dennis C. McCarthy  
TOWN ADMINISTRATOR



**FILE**

1-13 2003

*Elizabeth Jentz*

**Town of Winhall  
Select Board Meeting  
January 07, 2004  
Agenda**

**Executive Session/Personnel 5:30 PM**

It is assumed that the Board of Selectmen will go into an executive session for personnel issues.

**Call To Order:**

**Meeting begins at 6:00 PM and adjourns at approximately 9:00 PM**

**Approval of Minutes: from December 17, 2003**

**Review Bills/Sign Orders**

**Public Comments**

**DEPARTMENT REPORTS**

**Police/Rescue**

Monthly report, Chief Whitesell

Finalize 04-05 Budget

Procedure for collection of Alarm Ordinance for first meeting  
in February, 04, 04.

**Buildings/Maintenance**

Recreation Budget request / final fund balance

Finalize 04-05 Budget

**Roads**

Vehicles in Town right-of-way / Aspen Lane

Stratton Access Road Agreement

Finalize 04-05 Budget

**Transfer Station**

Finalize 04-05 Budget

**Old/Unfinished Business**

Zoning By-Law Hearing January 21, 2004

**New Business**

**Administrative**

2003 Town Report

**Announcements/Correspondence:**

**Adjourn**

**Next Meeting: January 21, 2004**

**TOWN OF WINHALL SELECTBOARD  
BONDVILLE, VERMONT**

Selectboard Meeting Minutes for January 7, 2004

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**PRESENT:** Frank Pinto, Chair; Randy Ameden, Brian Van Horn, Randy Kimball (WHD), Jeff Whitesell (WPD) Lucia Wing, Secretary, Dennis McCarthy, Town Administrator

**ABSENT:** None

**IN ATTENDANCE:** Kate Coleman (Town Treasurer)

**CALL TO ORDER:**

Pinto called the meeting to order at 5:40 PM at the Town Hall in Bondville.

**EXECUTIVE SESSION:**

At 5:41 PM the Selectboard voted to into executive session to discuss personnel matters. Motion by Pinto; seconded by Ameden; unanimous. At 6:22 PM, the SB voted to come out of executive session. Motion by Pinto; seconded by Ameden; unanimous.

**PAY ORDERS:**

After review Pinto made the motion to approve pay order(s) #36, 37, 38, 39 as presented; seconded by Ameden; unanimous.

**MINUTES OF PAST MEETING(S):**

After review, Ameden made the motion to approve the meeting minutes of December 17 as amended; seconded by Pinto; unanimous.

**PUBLIC COMMENT(S):** (None)

**HIGHWAY/ROADS REPORT:**

Kimball and the Selectboard discussed the ongoing problem of vehicles parked in the right-of-way on Aspen Lane re: snowplowing; status of covering salted sand piles; and final budget figures for the Highway Department FY 04-05. Pinto reported the Stratton Mountain Access Road Agreement stated passing lanes were not necessary. However, the Selectboard acknowledged that payment from Stratton to Winhall for the cost

January 7, 2004- page 2

of the project would be owed to the Town per the Municipal Services Agreement.

**PUBLIC SAFETY (POLICE/FIRE/RESCUE) REPORT:**

Whitesell and the Selectboard reviewed the December monthly police report and end of the year data relative to traffic tickets and warnings, law incidents, agency assists outside the Town of Winhall, and incidents in Stratton.

Whitesell reported burglaries and vandalism were down, agency assists were down, motor vehicle accidents, speeding, and disturbances were up, and false alarms were down from last year. Whitesell reported he had not finalized a procedure for collecting fees for false alarms but would try to do so by the following month. He submitted a local newspaper article about Calix and Police Officer Lucy Newton re: German Shepherd joins Winhall Police; and thank you letters re: WPD rescue and assistance efforts. Whitesell also suggested the Selectboard put in an additional line item on the income side of the Town Report for grant monies received by the various departments and add footnotes for explanation.

**TOWN TRANSFER STATION REPORT:**

Kimball reported the Windham Solid Waste District would provide the Transfer Station with an additional bin for recycling to try to mitigate the overflow problem.

**MUNICIPAL BUILDING(S) REPORT:**

After review, the Selectboard signed the amended lease agreement (ending June 30, 2010) between the Mountain School and the Town of Winhall as discussed. They also finalized the recreation budget for the upcoming fiscal year.

**ADMINISTRATIVE BUSINESS:**

McCarthy reminded the Selectboard of the Public Hearing on January 21<sup>st</sup> re: proposed Winhall Zoning Regulation and updated them re: the status of the Town Report.

**EXECUTIVE SESSION:**

At 8:45 PM the Selectboard voted to go into executive session to discuss personnel matters. Motion by Pinto; seconded by Van Horn; unanimous.



Winhall Selectboard- January 7, 2004- page 3

At 9:00 PM the Selectboard voted to come out of executive session; motion by Ameden; seconded by Van Horn; unanimous.

As there was no other business, the meeting was adjourned at 9:05 PM. Motion by Pinto; seconded by Ameden; unanimous.

*Lucia Wing*

Lucia Wing, Secretary  
Winhall Selectboard

*Frank R Pinto*

FRANK PINTO, CHAIR

*Randy A Ameden*

RANDY AMEDEN

*Brian Van Horn*

BRIAN VAN HORN



**FILE**

**Town of Winhall  
Select Board Meeting  
January 21, 2004  
Agenda**

**Call To Order:**

**Meeting begins at 6:00 PM and adjourns at approximately 9:00 PM  
Approval of Minutes: from January 07, 2004  
Review Bills/Sign Orders**

**Public Comments**

**6:30 PM to 7:00 PM – \*Public Hearing\*  
Winhall's "proposed" Zoning Regulations  
updated 12-16-03**

**Executive Session – Personnel**

**DEPARTMENT REPORTS**

**Police/Rescue**

Part-time Secretary position Police Department  
Procedure for collection of Alarm Ordinance for first meeting  
in February, 04, 04.

**Buildings/Maintenance**

Sign Memo of Understanding between the Town of Winhall and the Winhall Memorial Library  
Sign rental agreement between the Town of Winhall and the Winhall Memorial Library

**Roads**

Signing by the Board of Selectmen of the Aspen Lane Settlement Agreement and Release.  
2004-2005 paving bid comparison  
CVPS Maintenance Easement / Lower Taylor Hill Road  
Signing of 2004 Certificate of Highway Mileage

**Transfer Station**

D. Glabach Associates, Inc. appeal of Board of Selectmen's letter of December 24, 2003 –  
notice of warning.

**Old/Unfinished Business**

**New Business**

**Administrative**

Status of 2003 Town Report  
Signing of 2004-2005 Town Budget  
Signing of 2004 Warning for Town Meeting

**Announcements/Correspondence:**

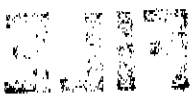
**Adjourn**                      **Next Meeting: February 4, 2004**



**FILE**

1-20-2004

*Elizabeth Peabody*



**Town of Winhall  
Select Board Meeting  
January 21, 2004  
Agenda**

**Call To Order:**

**Meeting begins at 6:00 PM and adjourns at approximately 9:00 PM**

**Approval of Minutes: from January 07, 2004**

**Review Bills/Sign Orders**

**Public Comments**

**6:30 PM to 7:00 PM - \*Public Hearing\***

**Winhall's "proposed" Zoning Regulations  
updated 12-16-03**

**DEPARTMENT REPORTS**

**Police/Rescue**

**Part-time Secretary position Police Department**

**Procedure for collection of Alarm Ordinance for first meeting**

**in February, 04, 04.**

**Buildings/Maintenance**

**Sign Memo of Understanding between the Town of Winhall and the Winhall Memorial Library  
Sign rental agreement between the Town of Winhall and the Winhall Memorial Library**

**Roads**

**Signing by the Board of Selectmen of the Aspen Lane Settlement Agreement and Release.  
2004-2005 paving bid comparison  
CVPS Maintenance Easement / Lower Taylor Hill Road**

**Signing of 2004 Certificate of Highway Mileage**

**Transfer Station**

**D. Glabach Associates, Inc. appeal of Board of Selectmen's letter of December 24, 2003 -  
notice of warning.**

**Old/Unfinished Business**

**New Business**

**Administrative**

**Status of 2003 Town Report**

**Signing of 2004-2005 Town Budget**

**Signing of 2004 Warning for Town Meeting**

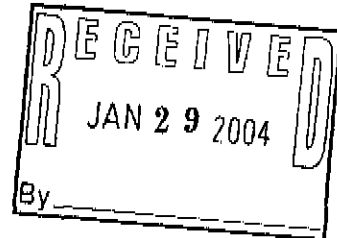
**Announcements/Correspondence:**

**Next Meeting: February 4, 2004**

**Adjourn**

Brian VanHorn  
PO Box 205  
Bondville, VT 05340

January 30, 2004



Frank Pinto, Chair  
Randy Ameden, Selectman  
Town of Winhall  
Winhall, VT 05340

Effective with the close of business on Friday, January 30, 2004, I hereby resign my position as Selectman for the Town of Winhall.

I would like to recommend to you that you consider the appointment of Stuart Fause to fill the remainder of my term. Stuart is currently Vice Chair of the Zoning Board of Adjustment and is very active in town affairs. He has demonstrated a willingness to serve and would seriously consider appointment to the Selectboard. He would bring a wealth of business and personal experience to the Board having served as Chief Operating Officer for Methodist Hospital, Brooklyn, New York for over thirty years. The Town of Winhall is fortunate to have such qualified candidates. I strongly support his appointment.

I would like to take this opportunity to thank the residents of Winhall for my election to the Board last year and wish my successor the best of luck in fulfilling the remainder of the term.

Sincerely,

  
Brian VanHorn

 **FILE**  
2/2/2004 Elizabeth Teale

## PUBLIC NOTICE

The Board of Selectmen, announce the resignation of Selectboard member Brian VanHorn. Brian has taken an administrative support position with the Winhall Police Department. To avoid any actual or perceived conflict of interest by holding both positions, Brian has resigned from the Winhall Board of Selectmen.

Brian's resignation was effective on Friday, January 30, 2004 at 5:00 PM.

The Board of Selectmen issues this public notice pursuant to title 24V.S.A. section 961.

## PUBLIC NOTICE

 **FILE**  
2/9/2004 Elizabeth Foley

**Town of Winhall  
Select Board Meeting  
February 04, 2004  
Agenda**

**Call To Order:**

**Meeting begins at 6:00 PM and adjourns at approximately 9:00 PM**  
**Brief Meeting with Rick Kelley, Forester**  
**Approval of Minutes: from January 21, 2004**  
**Review Bills/Sign Orders**

**Public Comments**

**DEPARTMENT REPORTS**

**Police/Rescue**

Monthly report, Chief Whitesell  
Procedure for collection of Alarm Ordinance fines.

**Buildings/Maintenance**

Monthly report, Nancy Oakes, Building Manager  
Northeast Rural Water Association (Source Protection Plan for the Mountain School Water System) review and acceptance.

**Roads**

Monthly report, Randy Kimball, Highway Foreman  
2004-2005 paving bids  
Excess weight permit for Cardinal Freight Carriers, Inc.

**Transfer Station**

Monthly report, Randy Kimball, Transfer Station Supervisor  
Windham Solid Waste District computer, waste oil and oil filter recycling pole barn.

**Old/Unfinished Business**

**New Business**

Resignation of Selectboard member Brian VanHorn

**Administrative**

Status of 2003 Town Report  
Review of new financial statement  
Town Administrator's monthly schedule

**Announcements/Correspondence:**

**Adjourn**

**Next Meeting: February 18, 2004**

 **FILE**

2/5/04 Elizabeth

## TOWN OF WINHALL SELECTBOARD "PUBLIC NOTICE"

The Winhall Selectboard hereby notifies that a Public Hearing will be held on Wednesday, January 21, 2004 at 6:30 PM at the Town Hall in Bondville. The purpose of the Hearing is to hear suggestions and receive comments from the residents of Winhall and other interested parties relative to the draft of Winhall's "proposed" Zoning Regulations updated 12-16-03.

### Written Report on Winhall "proposed" Zoning Regulations Update

The following written report is included with the Final Draft of the Winhall Zoning Regulations to note some of the changes that were made to the Regulations during the updating process. The updating process was conducted over a two year time frame and includes input from public meetings.

During the updating process, the Regulations were reviewed and changes were made that will help these Regulations to be consistent with current State statutes. Also, changes were made that will make these Regulations easier for the public to read and understand. For instance, a Land Use Table and a Dimensional Table were created to simplify this information and then directly relate this information to a specific land use district. Additionally, the definitions were expanded to fully describe the uses in the Regulations and were placed in Article II to assure that all readers will understand the important definitions before reading the land use section.

Two new districts have been created. These are the Village District and the Transfer of Development Rights Overlay District. The Village District replaces commercial areas #3 and #4 and has been expanded. This District should allow for more mixed commercial uses. This should help to create a commercial center in the Town. The Transfer of Development Rights Overlay District allows specific sending parcels to transfer their development rights to specific receiving parcels. This will allow denser development on the receiving parcels while prohibiting development of the sending parcels. There will be no net gain in density in the Transfer of Development Rights Overlay District.

These new districts will affect the overall pattern of land use. At the southern edge of the Town, the Transfer of Development Rights Overlay District will have a denser settlement pattern on the receiving parcels within the recreation zone. The Village District allows for a broad mix of uses and has been designed to have denser development. Both Districts have land suitable to fulfill the intents of each District and should provide a cost benefit to the Town. The Village District allows for a mixture of commercial and residential development, which will provide opportunity for growth and should not require additional public facilities. The Transfer of Development Rights Overlay District allows for a minimum of mixed uses and should not require any additional public facilities.

Also included in this update is an Official Zoning Map. This Map will graphically show all of the districts in the Town and will assist everyone with locating parcels in a zoning district. Where practical, the boundaries of zoning districts are drawn using parcel boundary data. The Forest, Rural Residential and Agricultural, Recreational, Transit Lodging and Residential Districts use parcel data. Boundaries in the Commercial Districts are drawn using dimensional and parcel boundary data. Dimensions and reference points in the Commercial Districts are shown on the Map. Boundaries in the Special Purpose Areas reflect dimensional rather than parcel boundary data. The boundary between the Scenic Restriction Area and the Village District has been modified to reflect parcels and the current uses on these parcels. This map will be on display in the Town Offices and copies will be available to the public. The updated Regulations contain procedures for periodically updating this Map.

Copies of Winhall's "proposed" Zoning Regulations are available at the Town Hall and can be picked up for review during the Town Clerk's regular business hours (Mon.-Thurs. 9:00 AM-12:00 PM).

Winhall Selectboard



**TOWN OF WINHALL SELECTBOARD  
BONDVILLE, VERMONT**

Selectboard Meeting Minutes for January 21, 2004

---

**PRESENT:** Frank Pinto, Chair; Randy Ameden, Brian Van Horn, Randy Kimball (WHD), Lucia Wing, Secretary, Dennis McCarthy, Town Administrator

**ABSENT:** Jeff Whitesell

**IN ATTENDANCE:** Kate Coleman (Town Treasurer), Jack Schwartz, Ted Friedman, Marcel Gisquet (WPC), Nancy Oakes, Darlene Palola, Theresa Ameden, Scott Bushee, Dave Glabach, John Woodruff, Pricilla Pleasant

**CALL TO ORDER:**

Pinto called the meeting to order at 6:01 PM at the Town Hall in Bondville.

**PAY ORDERS:**

After review Pinto made the motion to approve pay order(s) #40, 41, 42 with the exception of Dave Fielding's bill; seconded by Ameden; unanimous.

**PUBLIC HEARING: WINHALL PROPOSED ZONING REGS:**

At 6:45 PM, Pinto made the motion to close the regular meeting and open the public hearing to discuss Winhall's proposed zoning regulations; seconded by Van Horn; unanimous. After reading the public notice, Pinto opened the floor to public discussion. *Darlene Palola* discussed section 417.4 regarding who reviews PRD's and PUD's. *Marcel Gisquet* responded that both the Planning Commission and the Zoning Board of Adjustment reviewed PRD's and PUD's under different criteria. Palola also discussed the map relative to the sending and receiving areas re: transfer of density. Gisquet explained the Planning Commission would determine how much density to send less steep slopes, wetlands and other criteria like dual usage. The receiving areas would be reviewed under similar criteria. The map was merely a guideline. *Ted Friedman* suggested Snow Valley be changed from the recreation to the forest zone; he also discussed Vermont Ventures currently in the five (5) acre zone. Gisquet responded the Planning Commission had discussed Vermont Ventures at their last meeting and thought it would be a good idea to make that area a two (2) acre zone so that property owners would not be forced to combine lots. Most of the lots in Vermont Ventures were about two acres



and were pre-existing, non-conforming. Gisquet also discussed required setbacks and buffer areas relative to PRD's and PUD's. After further discussion Pinto closed the public hearing at 7:45 PM; motion by Ameden; seconded by Van Horn; unanimous. At 7:50 PM, Pinto opened the regular meeting and made the motion to approve Winhall's proposed Zoning Regulations updated on 12-16-03 as amended with the addition of the following language: "setback and buffer zone requirements for infrastructure (i.e. sewer and water) to serve PUD or PRD developments shall be met on the parcel being developed or by easement on adjoining property(s)." Seconded by Van Horn; unanimous.

**MINUTES OF PAST MEETING(S):**

After review, Ameden made the motion to approve the meeting minutes of January 7, 2004 as amended; seconded by Pinto; unanimous.

**PUBLIC COMMENT(S):**

*Jack Schwartz* commented that the new storage building recently constructed at the school, may in fact, be on his land. The Selectboard would check into it. *Scott Bushee* asked if the police department had asked for a new cruiser in the upcoming budget year. The Selectboard responded the WPD had asked, but the SB had not approved their request. *Theresa Ameden* suggested the Selectboard or the School Board come up with a back up plan for emergency situations for example the recent school bus break down on the way to school with students aboard. The Selectboard would look into the liability of asking alternative drivers to pick up the kids from the bus and drive them to school in their own vehicles.

**HIGHWAY/ROADS REPORT:**

1) Van Horn made the motion to authorize Frank Pinto to sign two copies of the Aspen Lane Settlement and Release Agreement re: Mary Beth Lane; seconded by Ameden; unanimous.

2) Next Kimball and the Selectboard reviewed the paving bids submitted by Wilk Paving, Pike Industries, and Whitcomb. Before making any decisions, the Selectboard asked Randy Kimball to contact the three bidders and have them clarify their figures.

3) Next the Selectboard discussed CVPS's request to use the Town ROW for their proposed realignment of the CVPS power lines on Lower Taylor Hill Road (bridge area) and the Winhall Library area. CVPS would use the extreme side of the right of way and no trees or other vegetation would be cut down, trimmed, eliminated or otherwise removed within a 100 yard circumference of the Winhall Library. After further discussion, the Selectboard agreed to sign the CVPS Maintenance Easement. Motion by Pinto; seconded by Ameden; unanimous.

4) As there were no changes from last year, the Selectboard signed the 2004 Certificate of Highway Mileage.

**PUBLIC SAFETY (POLICE/FIRE/RESCUE) REPORT:**

As Chief Whitesell was not present, the Selectboard would discuss the procedure for collecting Alarm Ordinance fees at the next meeting.

**TOWN TRANSFER STATION REPORT:**

In response to a letter from the Selectboard re: conduct at the Transfer Station, Dave Glabach, John Woodruff, and Pricilla Pleasant (Glabach Associates) came before the SB to discuss problems they felt they had been having with the Transfer Station attendant. Glabach and his employees recited various incidents; Glabach felt the Transfer Station attendant showed animosity toward local contractors and favoritism toward residents. Scott Bushee, who had been employed at the Transfer Station for a short period of time, also felt there were some unresolved issues. Pinto suggested a round table between the haulers and the Transfer Station attendant to try to resolve the problems.

**MUNICIPAL BUILDING(S) REPORT:**

1) Van Horn made the motion to authorize Frank Pinto to sign the Memo of Understanding between the Town of Winhall and the Winhall Memorial Library and to sign the rental agreement between the Town of Winhall and the Winhall Memorial Library. Seconded by Ameden; unanimous. Van Horn made the motion to have the Town of Winhall cover the liability insurance for the Winhall Memorial Library; seconded by Ameden; unanimous.

2) Oakes reported the State would be sending the Town an eight (8) page report requiring the school to set up a 500 ft. wellhead protection area to safeguard its public water system. Four (4) abutting landowners would be affected by the wellhead protection area.

**ADMINISTRATIVE BUSINESS:**

1) At the request of Bill Simmers (Lister), Pinto made the motion to reduce Mr. Carrier's property assessment by \$20,000 as he is a disabled veteran and therefore eligible for the assessment reduction; seconded by Ameden; unanimous.

2) McCarthy reported with the exception of some unfinished budget items, the 2003 Town Report was ready to be printed. After review, the SB signed the 2004 warning for the Town Meeting in March.

**EXECUTIVE SESSION:**

At 9:35 PM the Selectboard voted to go into executive session to discuss personnel matters. Motion by Pinto; seconded by Van Horn; unanimous.

At 10:25 PM the Selectboard voted to come out of executive session; motion by Ameden; seconded by Van Horn; unanimous.

1) Pinto made the motion to change the description of the vacant office position at the WPD from "Administration Support" to "Administrative Support;" seconded by Ameden; unanimous. Pinto then made the motion to hire Brian Van Horn for the position at \$13.06 per hour, 24 hours per week with the contingency that Van Horn resign from the Selectboard because of the actual or perceived conflict of being an employer and at the same time being an employee of the Town of Winhall. Van Horn agreed to resign his position on the Selectboard effective the week of January 26, 2004. The standard 180-day probation period would apply to the administrative position. Motion seconded by Ameden; unanimous.

2) After consultation with counsel, Pinto made the motion to remove the line item "Chapel of the Snows" from the budget; seconded by Ameden; unanimous. Pinto made the motion to correct the Selectmen's salary from \$10,000 to \$8,280; seconded by Ameden; unanimous. Pinto made the motion to correct the Town insurance from \$30,000 to \$55,000 because the figure

Selectboard- January 21, 2004- page 5

used was for six months and had been rounded to \$30,000. Seconded by Ameden; unanimous. Pinto then made the motion to increase the Surplus line from \$200,000 to \$220,000 as a result of the Town insurance increase; seconded by Ameden; unanimous.

As there was no other business, the meeting was adjourned at 11:45 PM. Motion by Pinto; seconded by Ameden; unanimous; the above respectfully submitted by Dennis McCarthy, Town Administrator.

*Lucia Wing*

Lucia Wing, Secretary  
Winhall Selectboard

*Frank R Pinto*  
FRANK PINTO, CHAIR

*Randy A Ameden*  
RANDY AMEDEN

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BRIAN VAN HORN

 **FILE**

February 9, 2004  
*Elizabeth Fenley*

**Town of Winhall  
Select Board Meeting  
February 18, 2004  
Agenda**

**Call To Order:**

**Meeting begins at 6:00 PM and adjourns at approximately 9:00 PM  
Approval of Minutes: from February 4, 2004  
Review Bills/Sign Orders**

**Public Comments**

**DEPARTMENT REPORTS**

**Police/Rescue**

**Buildings/Maintenance**

Fertilization of ball field

**Roads**

Monthly report, Randy Kimball, Highway Foreman

2004-2005 paving bids

Curb Cut – Nick Pizza, Benson Fuller Road, Lot #3

Steve Derby, 318 Windtree Road, Lot #35

**Transfer Station**

Monthly report, Randy Kimball, Transfer Station Supervisor

**Old/Unfinished Business**

**New Business**

VLCT – Making Grants work for your municipality – 02/19/04 - Montpelier

**Administrative**

Items for 2004 Town Meeting

Certificate – No appeal or suit pending form

Appointment of Individual to fill vacant Selectman position

Signing of support letter for Northshire Day School

Signing and acceptance of Mileage Policy

**Announcements/Correspondence:**

**Executive Session:**

Ninety-Day Town Administrator's Evaluation

**Adjourn**

**Next Meeting: March 3, 2004**



**FILE**

2-18-2004

*Elizabeth Peabody*

**TOWN OF WINHALL SELECTBOARD  
BONDVILLE, VERMONT**

Selectboard Meeting Minutes for February 4, 2004

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**PRESENT:** Frank Pinto, Chair; Randy Ameden, Jeff Whitesell (WPD), Lucia Wing, Secretary, Dennis McCarthy, Town Administrator

**ABSENT:** Randy Kimball (WHD)

**IN ATTENDANCE:** Kate Coleman (Town Treasurer), Nancy Oakes, Matt Underwood (Army Corps of Engineers), Rick Kelley (Ranger Resources)

**CALL TO ORDER:**

Pinto called the meeting to order at 5:55 PM at the Town Hall in Bondville.

**PAY ORDERS:**

After review Pinto made the motion to approve pay order(s) #43, 44, 45 as presented; seconded by Ameden; unanimous.

**MINUTES OF PAST MEETING(S):**

After review, Ameden made the motion to approve the meeting minutes of January 21, 2004 as amended; seconded by Pinto; unanimous.

**MEETING WITH RICK KELLEY (TOWN FORESTER) RE: TOWN OF WINHALL MUNICIPAL FOREST:**

Rick Kelley (Town forester) came before the Selectboard to explain the procedure for cutting the Winhall wood lot; Kelley explained the wood lot was divided into four sections by timber type. The section being considered for cutting this year was Area #1 consisting mostly of sugar maples and red maples; Kelley expected the timber yield to be between 2,000 and 3,000 board feet of lumber per acre of marketable timber. The plan was to cut 40% of the basal area. He went on to explain selective cutting would not disturb wildlife habitat. Kelley asked McCarthy to determine the ROW status through Dale Wood into the Town forest. The SB suggested McCarthy check with both Ted Friedman and Marion Jenks. Next Kelley showed the Board a sample contract to which they could add a disclaimer for rejection of any or all logging bids; the SB could also include in the contract seeding and

cleaning up the area. Kelley stated mills would likely bid higher than local loggers. Kelley went on to state he was planning on marking between 75-100 acres in Area #1. Kelley determined that 623.6 acres of the Municipal Forest was located in the Town of Jamaica and 41.4 acres in the Town of Winhall. Kelley suggested cutting the timber in the summer. Kelley and the Selectboard would set the month of April 2004 for a walk through of the area to be marked. Kelley would call Pinto the second week of April to set the actual time and date. The Board thanked Kelley for coming in and explaining the process to them.

**PUBLIC COMMENT(S):** (None)

**HIGHWAY/ROADS REPORT:**

McCarthy reported Randy Kimball had called all three paving contractors- Wilkes, Pike, and Whitcomb. None of the bidders had wanted to change their figures for road paving in Winhall.

**PUBLIC SAFETY (POLICE/FIRE/RESCUE) REPORT:**

1) Whitesell and the Selectboard discussed the monthly police report for January including traffic warnings and tickets and law incidents in both Winhall and Stratton. They went on to discuss procedures for collecting fines including Alarm Ordinance fines. Procedures discussed included small claims court; filing a motion for a contempt proceeding; using a collection agency; or post-judgment settlements. When payment was not made, Whitesell suggested sending the offender a warning letter stating that if the offender did not respond within fifteen (15) days, one of the above would result. The Selectboard agreed to Whitesell's suggestion.

2) Next Whitesell and the Selectboard discussed ways to create a system to track grants awarded the Town of Winhall. The SB wanted to know what grant monies had been paid out and what monies were still owed the Town by the State or Federal agency awarding the grant. McCarthy would develop a spread sheet to keep track of the grant money.

3) Matt Underwood, park ranger for the Winhall camping area, came before the SB to discuss a Law Enforcement Agreement between the Winhall Police Department and the Winhall recreation area located in Londonderry.

Underwood was requesting law enforcement back up and patrol for the camping area in the summer with reimbursement to the Town for WPD services. He explained the Sheriff's Department did not offer satisfactory service. Pinto stated the Selectboard had turned this agreement down in the past for a variety of reasons. Pinto stated before making any decision(s) the Selectboard would have to get a consensus of opinion from the Town and investigate a per hour amount which made sense. A suggestion was to bring up the matter at Town Meeting under "Other Business."

**TOWN TRANSFER STATION REPORT:**

Ameden reported he and Randy Kimball had talked with the Transfer Station attendant re: events occurring between the attendant and Glabach Associates. The SB also discussed the Norse House's request to recycle some old skis.

**MUNICIPAL BUILDING(S) REPORT:**

After reviewing Northeast Rural Water Association's wellhead protection plan for the Mountain School, the Selectboard authorized Oakes to send letters to the four (4) abutters informing them of the above.

**ADMINISTRATIVE BUSINESS:**

- 1) Pinto made the motion to accept Brian Van Horn's resignation from the Selectboard on January 30, 2004; seconded by Ameden; unanimous. They then reviewed the announcement to seek a qualified candidate to fill the Selectman position vacated by Van Horn.
  
- 2) McCarthy reported the Town Report was ready for proofreading; he reminded the Selectboard that his 90-day evaluation was up February 18<sup>th</sup>; and he submitted his monthly schedule.
  
- 3) Next Pinto made the motion to approve the budget for the FY 04-05 in the amount of \$1,875,885.00; seconded by Ameden; unanimous.

As there was no other business, the meeting was adjourned at 8:30 PM.  
Motion by Pinto; seconded by Ameden; unanimous.



Selectboard- February 4, 2004- page 4

*Lucia Wing*

Lucia Wing, Secretary  
Winhall Selectboard

*Frank R. Pinto*

FRANK PINTO, CHAIR

*Randy A. Ameden*

RANDY AMEDEN



**FILE**

2-24-2004

*Elizabeth S. Pinto*

**TOWN OF WINHALL SELECTBOARD  
BONDVILLE, VERMONT**

Selectboard Meeting Minutes for February 18, 2004

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**PRESENT:** Frank Pinto, Chair; Randy Ameden, Jeff Whitesell (WPD), Randy Kimball (WHD), Lucia Wing, Secretary, Dennis McCarthy, Town Administrator

**ABSENT:** (None)

**IN ATTENDANCE:** Kate Coleman (Town Treasurer), Nancy Oakes, George Abel, Ed Molinelli

**CALL TO ORDER:**

Pinto called the meeting to order at 6:00 PM at the Town Hall in Bondville. First the Selectboard authorized a donation box to be set up for Alice Dodge at Town Meeting on March 2<sup>nd</sup>.

**PAY ORDERS:**

After review Pinto made the motion to approve pay order(s) #46, 47, & 48 as presented; seconded by Ameden; unanimous.

**MINUTES OF PAST MEETING(S):**

After review, Ameden made the motion to approve the meeting minutes of February 4, 2004 as amended; seconded by Pinto; unanimous.

**PUBLIC COMMENT(S):**

*Nancy Oakes* commented that she would like to see a "no parking" sign on Ameden Road as vehicles frequently parked on the side of the road making it very difficult to maneuver by them. McCarthy would check into the Town Ordinance.

**HIGHWAY/ROADS REPORT:**

1) Kimball reported that he had called all three paving contractors- Wilk, Pike, and Whitcomb. None of the bidders had wanted to change their figures for road paving in Winhall. Therefore, after review Ameden made the motion to accept Wilk's bid of \$163,416 to pave Upper Taylor Hill Road to Piper Ridge, Todd Hill including aprons, and Winhall Hollow Road from Lampson's Turn to Wind Hill Farm. Seconded by Pinto; unanimous.

2) After discussion that reports considered the Access Road passing lanes unsafe, the Selectboard agreed to consider Stratton Corporation's offer to pay Winhall \$730,000 directly instead of paying that amount to construct the three passing lanes per the Municipal Services Agreement. They would pay Winhall in two installments: two-thirds of the \$730,000 this year and one-third next year. Stratton would go to the State and have the State remove the requirement for passing lanes from the MSA. The Selectboard went on to discuss the Town using this money to refurbish the Municipal Building.

3) After review, the SB signed Access Permit(s) for Nick Pizza (Benson Fuller Road, Lot #3) and Steve Derby (318 Windtree Road, Lot #35).

4) Pinto reported Siteline would be surveying the Aspen Lane turn-around re: Mary Beth Lane land swap with the Town of Winhall.

**PUBLIC SAFETY (POLICE/FIRE/RESCUE) REPORT:**

Whitesell reported he had attended a recent Stratton Selectboard meeting to update them regarding the January police report re: traffic incidents in the Stratton resort area. He also reported the WPD had handled a serious snowmobile accident within the last couple of weeks.

**TOWN TRANSFER STATION REPORT:**

After discussion, the Selectboard agreed to have McCarthy send the Mountain School a letter urging the school to pay more attention to recycling. As a result, McCarthy reported, Jason Berube was no longer interested in picking up the trash at the school. McCarthy would also talk to the school.

**MUNICIPAL BUILDING(S) REPORT:**

Oakes and the Selectboard discussed fertilizing the playing field at the school. Oakes suggested having Senecal fertilize the field as he was very knowledgeable in that area; she felt he would also be receptive to the idea. If fertilization did not work, they could use Stratton's aeration machine to seed the field as well. Oakes and the SB also discussed preparing the summer maintenance bids and a watering system for the field once it had been fertilized and potentially seeded.

**ADMINISTRATIVE BUSINESS:**

1) After discussing letters from Rudy Weaver and Dave Glabach, Pinto made the motion to appoint Rudy Weaver to serve on the Selectboard for a one year term to fill the position vacated by Brian Van Horn; seconded by Ameden; unanimous.

2) Next the Selectboard signed grant money paperwork for reimbursement for Lower Taylor Hill bridge re: painting and repair; they also signed the "No Appeal or Suit Pending Form;" and signed a support letter for the Northshire Day School.

3) After review, Pinto made the motion to accept and sign the Town of Winhall Milcage Policy; seconded by Ameden; unanimous.

4) Pinto, McCarthy, and Bill Simmers all planned to attend the VLCT seminar "Making Grants Work for Your Municipality" in Montpelier on February 19<sup>th</sup>.

**ANNOUNCEMENTS & CORRESPONDENCE:**

As a result of a recent Route 30-11 road closing and ensuing traffic tie-up, the Selectboard received a letter from the Town of Manchester discussing a better policy for closing the road during inclement weather. The SB also received correspondence from Paul Carroccio re: Center for Restorative Justice, suggesting a feasibility study paid for by each town in Vermont for a "re-entry into society program" for individuals serving jail sentences. The Selectboard agreed that Winhall was not interested in funding such a study.

**EXECUTIVE SESSION:**

At 7:55 PM, the Selectboard voted to go into executive session to discuss the ninety-day Town Administrator's evaluation. Motion by Pinto; seconded by Ameden; unanimous. At 8:30 PM, the SB voted to come out of executive session; motion by Ameden; seconded by Pinto; unanimous.

As there was no other business, the meeting was adjourned at 8:35 PM. Motion by Pinto; seconded by Ameden; unanimous.

Selectboard- February 18, 2004- page 4

**Next Meeting: March 3, 2004**

*Lucia Wing*  
Lucia Wing, Secretary  
Winhall Selectboard

*Frank R Pinto*  
FRANK PINTO, CHAIR

*Randy A Amaden*  
RANDY AMEDEN



**FILE**

3-5-2004

*Elizabeth Peake*

**Town of Winhall  
Select Board Meeting  
February 18, 2004  
Agenda**

**Call To Order:**

**Meeting begins at 6:00 PM and adjourns at approximately 9:00 PM  
Approval of Minutes: from February 4, 2004  
Review Bills/Sign Orders**

**Public Comments**

**DEPARTMENT REPORTS**

**Police/Rescue**

**Buildings/Maintenance**

Fertilization of ball field

**Roads**

Monthly report, Randy Kimball, Highway Foreman

2004-2005 paving bids

Curb Cut – Nick Pizza, Benson Fuller Road, Lot #3

Steve Derby, 318 Windtree Road, Lot #35

**Transfer Station**

Monthly report, Randy Kimball, Transfer Station Supervisor

**Old/Unfinished Business**

**New Business**

VLCT – Making Grants work for your municipality – 02/19/04 - Montpelier

**Administrative**

Items for 2004 Town Meeting

Certificate – No appeal or suit pending form

Appointment of Individual to fill vacant Selectman position

Signing of support letter for Northshire Day School

Signing and acceptance of Mileage Policy

**Announcements/Correspondence:**

**Executive Session:**

Ninety-Day Town Administrator's Evaluation

**Adjourn**

**Next Meeting: March 3, 2004**

 **FILE**

3/3/2004  
*Elizabeth Derby*

**Town of Winhall  
Select Board Meeting  
March 17, 2004  
Agenda  
HAPPY ST. PATRICK'S DAY**

**Call To Order:**

**Meeting begins at 6:00 PM and adjourns at approximately 9:00 PM  
Approval of Minutes: from March 03, 2004  
Review Bills/Sign Orders**

**Public Comments**

**DEPARTMENT REPORTS**

**Police/Rescue**

Report on Snow Board Policing event

March 29, 2004 All Department Meeting at Manchester Town Office to discuss  
11/29/03 snowstorm

**Buildings/Maintenance**

Discussion of Summer Maintenance Job Description

**Roads**

Access Permit, David Johnson to serve lot 2 Golden Triangle Road

Access Permit, Robert Lenskold to serve 16 Kimball Hill Road

Access Permit, Charles E. McLevy to serve lot 1-2 Todd Hill Road

Certificate of Highway Opening for French Hollow Road TH#6

MSHA Seminar – May 20, 2004 Rutland, Vt.

Overweight permit for: James Cloud Logging & Trucking

Overweight permit for: S. T. Griswold & Co., Inc.

**Transfer Station**

**Old/Unfinished Business**

Signing of Municipal Budget as revised at Town Meeting March 2, 2004. (\$1,864,885.00)

Forest Service – Police Department coverage of Winhall Camp Ground

**New Business**

Long Trail Pedometer Adventure

Addition of G3 fax board to Town Clerks Canon Super copier

**Administrative**

Town Service Officer Appointment

2004 Liquor License Renewal for "Brenda Out Back, Inc." – 11 Ameden Road

Letter to Stratton Gardens on E-911 numbering of lots in development

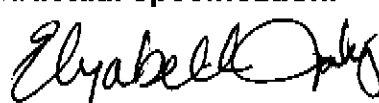

**Announcements/Correspondence:**

Act 250 Minor Application of Stratton Mountain School and Ski Foundation, Inc.

VLCT estimated replacement property values

**Adjourn**

**Next Meeting: March 23, 2004 at 6:00 PM – It is expected that the  
Selectboard will go into Executive Session to interview a potential replacement Police  
Officer and to discuss a contractual specification.**

  
3-16-2004  **FILE**

**TOWN OF WINHALL SELECTBOARD  
BONDVILLE, VERMONT**

Selectboard Meeting Minutes for March 3, 2004

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**PRESENT:** Frank Pinto, Chair; Randy Ameden, Rudy Weaver, Jeff Whitesell (WPD), Randy Kimball (WHD), Lucia Wing, Secretary, Dennis McCarthy, Town Administrator

**ABSENT:** (None)

**IN ATTENDANCE:** Kate Coleman (Town Treasurer), Brian Van Horn, George Abel, Ed Molinelli, Dave Glabach

**CALL TO ORDER:**

Pinto called the meeting to order at 6:00 PM at the Town Hall in Bondville. First the Selectboard welcomed new member Rudy Weaver who had been appointed by the SB to fill the position recently vacated by Brian Van Horn. Next Ameden made the motion to elect Frank Pinto, Chair of the Winhall Selectboard; seconded by Weaver; unanimous. Then Pinto made the motion to appoint the following: Fence Viewers- Selectboard; Pound Keeper- Tom Harriman; Inspector of Lumber, Shingles & Wood- Peter Cornell; Weigher of Coal- George Abel; and Tree Warden- Stuart Coleman. Seconded by Ameden; unanimous.

**PAY ORDERS:**

After review Pinto made the motion to approve pay order(s) #49, 50, 51 as presented; seconded by Ameden; unanimous.

**MINUTES OF PAST MEETING(S):**

After review, Ameden made the motion to approve the meeting minutes of February 18, 2004 as amended; seconded by Pinto; unanimous.

**PUBLIC COMMENT(S):**

*Dave Glabach* came before the Selectboard asking them to set up a round-table to follow up on recent issues between his workers and the Transfer Station attendant, Jason Berube. He asked that other local haulers be included as well. After discussion, the Selectboard asked Glabach to provide them with a list of all the haulers and others, who had experiences that they felt were not satisfactory. The Selectboard stated that they would have SB



Members Randy Ameden and Rudolph Weaver talk to the individuals or talk to all individuals in a group setting.. Mr. Glabach will provide the list, Ameden and Weaver will call them and seek their comments. Should the investigation warrant it, the Board at their discretion will decide the proper course of action to take with the employee. The Board will hold a public meeting on the issue should they determine one is necessary.

**HIGHWAY/ROADS REPORT:**

1) McCarthy reported under the Town Road Ordinance, the Winhall Highway Department could put up any sign(s) needed for safety purposes re: a request for "No Parking" signs on Town of Winhall roads.

2) After review, the SB signed an Access Permit for D & L Builders (#73 Lake Road-Vermont Ventures).

3) After review, the SB denied Stratton Gardens an Access Permit to serve lots #20, #21, #80. The Board instructed the Town Administrator to send a letter explaining to Stratton Gardens that the Access Permit was denied. In the Board's opinion the proposed access may be a substantial change to their subdivision permit. Stratton Gardens will be instructed to contact the Planning Commission and set up a time where the Planning Commission can review their proposed access in relation to their subdivision permit. Once the Planning Commission has reviewed the access and developed the proper course for Stratton Gardens to follow, the SB will consider another access permit.

4) After review, the SB signed excess weight permit(s) for Lawrence White Construction and G.W. Tatro Construction, Inc. After conferring with Kimball, the SB agreed they would send Larry Brown a bill for the cost of replacing the Sap Bucket Lane road sign which had been damaged by one of his trucks.

**PUBLIC SAFETY (POLICE/FIRE/RESCUE) REPORT:**

1) Whitesell and the Selectboard discussed the monthly police report for February including traffic tickets, warnings, and law incidents both in Winhall and Stratton, and outside agency assists. Whitesell reported he had attended a Town of Stratton Selectboard meeting to give a similar report.

2) As a result of ongoing problems with the dispatch center in Rutland, Whitesell had installed a cordless phone system costing \$2,300 including caller ID, messaging and voice mail. He felt developing an instrument system would be efficient and also greatly improve communication between dispatch, local residents, and the Winhall Police Department. Ameden felt the system cost enough that the Selectboard should approve it before the Town paid for the installation. The SB discussed writing a policy stating that any item over \$1,000 should come to them first for review and approval.

**TOWN TRANSFER STATION REPORT:**

1) After discussion re: Berube's (37) hours worked at the Transfer Station, the Selectboard agreed that after (40) hours, Berube would get paid overtime. If a Holiday fell on his regular day to work, he would receive eight (8) hours of straight time for the Holiday plus his regular hourly wage for any hours worked on that day.

2) After discussion about CFC gases that may be inadvertently released should the units be dropped or crushed, and that the Town could be liable for a minimum of \$10,000, Frank Pinto made the motion to have Bowen Appliance Co. remove CFC gases from all units that contained CFC gas. Bowen Appliance Co. will be in contact with the Transfer Station Attendant to determine the best place to set the units prior to CFC removal. Bowen Appliance Co. will need a minimum of ten units before visiting the Transfer Station. Seconded by Ameden; unanimous. Discussion ensued about propane gas cylinders and how to recycle them. Randy Kimball stated that Casella Inc. will recycle the propane gas cylinders. The SB also agreed to have the riding mower at the Transfer Station overhauled at a cost of \$375.

**MUNICIPAL BUILDING(S) REPORT: (None)**

**ADMINISTRATIVE BUSINESS:**

1) After review the Selectboard signed liquor licenses for the Red Fox Inn, 7-Eleven, and Tenderloins. McCarthy reported the meeting with John Whalen AFLAC associate had been cancelled.

2) Gabe Slade requested the Selectboard write a letter giving him (13) hours of credit for Community Service at the Community Center. The (13) hours

involved the placing of shelving at the Community Center to help Nancy Oakes. Slade also helped Pinto put up the voting booths for last year's (2002) Town Meeting. The SB instructed the Town Administrator to investigate this matter with Oakes and to prepare a letter for Slade should he find that the hours can be verified.

3) After review, Pinto made the motion to sign the letter designating (19) acres of National Forest land in the French Hollow area for the maintenance of wildlife openings. Seconded by Ameden; unanimous.

**ANNOUNCEMENTS & CORRESPONDENCE:**

The Selectboard received a letter from VTrans discussing a better policy for closing the road during inclement weather and a notice for a VLCT in-house seminar for new selectboard members.

**EXECUTIVE SESSION:**

At 8:40 PM, the Selectboard voted to go into executive session to discuss personnel contract(s). Motion by Pinto; seconded by Ameden; unanimous.  
At 9:40 PM, the SB voted to come out of executive session; motion by Ameden; seconded by Pinto; unanimous.

As there was no other business, the meeting was adjourned at 9:45 PM.  
Motion by Pinto; seconded by Ameden; unanimous.

**Next Meeting: March 17, 2004**

*Lucia Wing*  
Lucia Wing, Secretary  
Winhall Selectboard

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FRANK PINTO, CHAIR

*Randy A. Ameden*  
RANDY AMEDEN

*Rudy Weaver*  
RUDY WEAVER

 **FILE** 3-24-04  
*Elizabeth Kulef*

**Town of Winhall  
Select Board Meeting  
March 17, 2004  
Agenda  
HAPPY ST. PATRICK'S DAY**

**Call To Order:**

**Meeting begins at 6:00 PM and adjourns at approximately 9:00 PM  
Approval of Minutes: from March 03, 2004  
Review Bills/Sign Orders**

**Public Comments**

**DEPARTMENT REPORTS**

**Police/Rescue**

Report on Snow Board Policing event

March 29, 2004 All Department Meeting at Manchester Town Office to discuss  
11/29/03 snowstorm

**Buildings/Maintenance**

Discussion of Summer Maintenance Job Description

**Roads**

Access Permit, David Johnson to serve lot 2 Golden Triangle Road

Access Permit, Robert Lenskold to serve 16 Kimball Hill Road

Access Permit, Charles E. McLevy to serve lot 1-2 Todd Hill Road

Certificate of Highway Opening for French Hollow Road TH#6

MSHA Seminar – May 20, 2004 Rutland, Vt.

Overweight permit for: James Cloud Logging & Trucking

Overweight permit for: S. T. Griswold & Co., Inc.

**Transfer Station**

**Old/Unfinished Business**

Signing of Municipal Budget as revised at Town Meeting March 2, 2004. (\$1,864,885.00)

Forest Service – Police Department coverage of Winhall Camp Ground

**New Business**

Long Trail Pedometer Adventure

Addition of G3 fax board to Town Clerks Canon Super copier

**Administrative**

Town Service Officer Appointment

2004 Liquor License Renewal for "Brenda Out Back, Inc." – 11 Ameden Road

Letter to Stratton Gardens on E-911 numbering of lots in development

**Announcements/Correspondence:**

Act 250 Minor Application of Stratton Mountain School and Ski Foundation, Inc.

VLCT estimated replacement property values

**Adjourn**

**Next Meeting: March 23, 2004 at 6:00 PM – It is expected that the  
Selectboard will go into Executive Session to interview a potential replacement Police  
Officer and to discuss a contractual specification.**

**TOWN OF WINHALL SELECTBOARD  
BONDVILLE, VERMONT**

Selectboard Meeting Minutes for March 17, 2004

---

**PRESENT:** Randy Ameden, Rudy Weaver, Jeff Whitesell (WPD), Lucia Wing, Secretary, Dennis McCarthy, Town Administrator

**ABSENT:** Frank Pinto, Chair; Randy Kimball (WHD)

**IN ATTENDANCE:** Kate Coleman (Town Treasurer), Nancy Oakes, Isaiah Slade

**CALL TO ORDER:**

Ameden called the meeting to order at 6:00 PM at the Town Hall.

**PAY ORDERS:**

After review Ameden made the motion to approve pay order(s) #52, #53, #54 as presented; seconded by Weaver; unanimous.

**MINUTES OF PAST MEETING(S):**

After review, Ameden made the motion to approve the meeting minutes of March 3, 2004 as amended; seconded by Weaver; unanimous.

**PUBLIC COMMENT(S):**

*Isaiah Slade* came before the Selectboard to let them know he was interested in bidding on the summer maintenance job at the Community Center, municipal building(s), and Winhall cemetery. As he felt there was some confusion on his part about last year's job description, Slade wanted to talk to the Selectboard about his position relative to the bid and his past job performance of the previous summer and fall. The Selectboard told Slade they welcomed all bids, including his, and would put together a detailed job description so there would be no confusion on the part of the bidders. When it was finalized, the summer maintenance job description would be advertised in the local papers.

**HIGHWAY/ROADS REPORT:**

1) After review, the Selectboard signed Access Permit(s) for David Johnson (Lot #2- Golden Triangle Road) and Robert Lenskold (#16 Kimball Hill Road).

Selectboard- March 17, 2004- page 2

2) After review, Ameden made the motion to sign Overweight Permit(s) for James Cloud Logging & Trucking, S.T. Griswold & Co. Inc., David Chaves, and Newport Sand & Gravel. Seconded by Weaver; unanimous.

3) After review, the Selectboard signed the Certificate of Highway Opening for French Hollow Road.

4) The Town Administrator announced there would be a MHSA seminar on May 20<sup>th</sup> in Rutland re: Winhall Highway Department.

**PUBLIC SAFETY (POLICE/FIRE/RESCUE) REPORT:**

1) Whitesell and the Selectboard discussed the US Open Snowboarding Championships hosted by the Stratton Mountain Resort, which Whitesell stated, was running smoothly and ahead of schedule. Whitesell reported the WPD would oversee event security. Teams of two WPD officers would patrol the vendor, parking, and entrance areas and assist where needed. Censor Security (Stratton) would position themselves in the lodging and outlying areas while Green Mountain Concert Security would position themselves slopeside. Whitesell reported the Department of Liquor Control would also be present during the event. Whitesell added the WPD would be on patrol in the Town of Winhall as well. Whitesell saw problems potentially arising during Friday night's "Rail Jam" event and free concert (5,000-7,000 attendees expected) and Saturday's final Half Pipe competition (12,000-15,000 attendees expected). Whitesell and the SB also discussed security requirements for the upcoming LPGA event this summer.

2) Whitesell announced he would be attending the All Department Meeting at the Manchester Town Offices at 10:00 AM on March 29<sup>th</sup> to discuss the November 29, 2003 snowstorm and subsequent road closing of Routes 11-30. Whitesell also reported the WPD had been swamped with automobile accidents during the March 16<sup>th</sup> snowstorm.

3) Next the Selectboard discussed WPD coverage and the cost to patrol the Winhall Campground located in Londonderry, Vermont. Pinto had figured the cost to be \$75 per hour plus mileage. The Town Administrator would contact Matt Underwood (Army Corps. Of Engineers) and let him know the charge.

**TOWN TRANSFER STATION REPORT: (None)**

**MUNICIPAL BUILDING(S) REPORT:**

1) Oakes and the Selectboard discussed the job description for summer maintenance re: Community Center, Municipal Building(s) and Winhall Cemetery. Ameden felt there should be a completion date for each project and suggested May 15<sup>th</sup> for completion of spring clean up; October 31<sup>st</sup> for fall clean up; June 1<sup>st</sup> for weeding and mulching at the school before graduation; August 15<sup>th</sup> for fiber mulching; June 15<sup>th</sup> through June 30<sup>th</sup> to fertilize the playing fields; and biweekly mowings July-September and three (3) mowings in May and three (3) mowings in June. All materials should be purchased by the contractor except for fertilizer and fiber mulch which the Town would supply. Ameden also suggested adding a section for additional per hour clean up work occurring before May 1<sup>st</sup> or after October 31<sup>st</sup> due to adverse weather conditions. After finalizing the job description, Oakes would go over the details with all potential bidders and eventually oversee all the summer jobs to see that they got done.

In addition, the Town Administrator informed the Selectboard know that anyone using weed killer in a commercial situation may need a "pesticide license." Therefore, the SB discussed eliminating using weed killer from the summer maintenance contract and making it a separate item because of potential liability to the Town. McCarthy would look into it. Oakes also asked the Selectboard what their position was relative to individuals driving their vehicles to the playing field. The Selectboard would get back to Oakes after further discussion.

3) The Board determined that there had not been any funds placed in the 2004-2005 budget to purchase a generator for the Community Center-school. The decision was made at the time of the budget preparation to seek a Homeland Security Grant to cover the purchase of the generator. Chief Whitesell informed the Board that the Homeland Security Grant Funds could not be used for this purpose at the present time. He will inform the Board if this changes in the future. The Town Administrator will investigate whether there is any other grants available to help with the purchase of the generator.

3) Oakes also reported that Sparky Electric had checked the heating tapes at the Town Hall which were not working. Sparky suggested they cut a new entry and install a heater instead of the heat tapes which were accessed by a narrow and difficult crawl space in the closet off the meeting room. After further discussion, Ameden made the motion to approve the \$500 cost to relocate the entry and install a heater at the Town Hall. Sparky will site the new access after taking input from the Town Clerk; seconded by Weaver; unanimous.

4) Oakes also asked if the Selectboard had determined whether or not the new storage building at the school was on Jack Schwartz's property. The Town Administrator would take a look at the existing survey.

**ADMINISTRATIVE BUSINESS:**

1) After review the Selectboard signed 2004 liquor license renewals for Mistral's Restaurant and Brenda Outback Inc; signed the Municipal Budget as revised at Town Meeting on March 2, 2004 @ (\$1,864,885); and unanimously appointed Larry Jenks Town Service Officer. Motion by Ameden; seconded by Weaver; unanimous.

2) The Town Administrator and the Selectboard discussed the addition of a G3 fax board to the copier in the Town Clerk's office for a hook up cost of \$916 or buy a second fax machine for approximately \$125. The Town Administrator also talked about Winhall's participation in the Long Trail pedometer adventure.

3) The Town Administrator would send a letter to Stratton Gardens suggesting they use the tax map for E-911 numbering of lots in their development.

4) Kate Coleman (Town Treasurer) discussed purchasing a new computer for the Town as she was concerned about a virus infecting her existing computer's "on line" capabilities. She wanted the new system to remain "off line."



**ANNOUNCEMENTS & CORRESPONDENCE:**

The Selectboard received an Act 250 Minor Application and Hearing notice re: Stratton Mt. School and Ski Foundation and a letter from the VLCT re: estimated replacement property values (currently at \$56,000 for everything) which the Town Administrator would look into and get an increase in the premium based on current replacement figures.


As there was no other business, the meeting was adjourned at 9:20 PM.  
Motion by Weaver; seconded by Ameden; unanimous.

**Next Meeting: March 23, 2004 at 6:00 PM (Executive Session) to interview a potential Winhall Police Officer replacement and to discuss a contractual specification.**

**Next Regular Meeting: April 7, 2004**

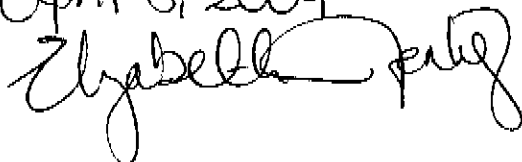


Lucia Wing, Secretary  
Winhall Selectboard

  
FRANK PINTO, CHAIR  
RANDY A. AMEDEN  
RUDOLPH D. WEAVER

 **FILE**

April 8, 2004



**Town of Winhall Select Board Meeting  
April 07, 2004  
Agenda**

**Call To Order:**

**Meeting begins at 7:00 PM and adjourns at approximately 9:00 PM  
Approval of Minutes: from March 17, 2004  
Review Bills/Sign Orders**

**Public Comments**

**DEPARTMENT REPORTS**

**Green Mountain National Forest; Mr. & Mrs. Frank Burns  
ZBA Appointment; Mr. Alexander MacKinnon, Chair  
Listers; Bill Simmers office equipment requirements  
School Board Appointment; Doug Velsor, Chair**

**Police/Rescue**

Monthly report; Chief Whitesell

**Buildings/Maintenance**

Monthly report; Nancy Oakes, Building Manager

**Roads**

Monthly report; Randy Kimball, Highway Foreman  
Access Permit, Stratton Gardens-Lot #80 Todd Hill Road/Chadd Circle  
Access Permit, Charles E. McLevy to serve lot 1-2 Todd Hill Road  
Access Permit, Edgar L. Stoddard to serve lot Signal Hill/Sylvan Ridge Road  
Overweight permit for: L&W Williams Construction, Inc.  
Overweight permit for: Casella Construction, Inc.  
Overweight permit for: Harvey Plimpton Excavating  
Overweight permit for: Gould & Sons Well Drilling

**Transfer Station**

Monthly report; Randy Kimball, Transfer Station Supervisor  
Community Service for yard cleanup at transfer station  
Recycling percentage goal

**Old/Unfinished Business**

Municipal Forest;  
Bennington County Forester Jim White and Stewardship Forester Lisa Thornton

**New Business**

Long Trail Pedometer Adventure; update

**Administrative**

VLCT Property Liability Insurance  
Agency of Transportation; paving grant check \$97,122.00  
Windham Regional Planning Commission Appointments  
Update on March 29, 2004 at Manchester Town Office  
Winhall Web Site; investigation  
An Orientation for New Selectboards  
GASB 34 Inventory starting amount (\$10,000)

**Announcements/Correspondence:**

Stratton Corporation and Mountain Reach Homeowners Association; Act 250 Land Use Permit  
The Carlos Otis Clinic, Inc.; Act 250 Minor Application  
Stratton Area Citizens Committee response to Stratton Mountain School to construct faculty buildings and dormitories  
John Farrell; project review sheet ANR/ACT 250  
VTrans; Grants for FY 2005 none allocated for Winhall in 2005  
Three-year moratorium - wind turbines on Glebe Mountain

**Adjourn**

**Next Meeting: April 21, 2004 at 7:00 PM**



**FILE**

*7/11/05 no file Seal April 6, 2004*

**Town of Winhall  
Select Board Meeting  
March 23, 2004  
Agenda**

**Call To Order:  
Meeting begins at 6:00 PM**

**It is expected that the Winhall Selectboard will go into Executive Session**

**Administrative:  
Interview of a potential replacement full time Police Officer  
Discussion of a contractual specification**

TOWN OF WINHALL SELECTBOARD  
BONDVILLE, VERMONT  
Selectboard Meeting Minutes for March 23, 2004

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**PRESENT:** Frank Pinto, Chair; Randy Ameden, Vice Chair; Rudy Weaver, Member; Chief Jeff Whitesell (WPD), Gregory C. Gould, Dennis McCarthy, Town Administrator

**ABSENT:** (None)

**CALL TO ORDER:**

Chairman Pinto called the meeting to order at 6:00 PM.

Vice Chairman Ameden moved to go into executive session to interview Mr. Gould for the Winhall Police Department and to discuss a contractual specification. Member Weaver seconded the motion, all in favor. Motion carried.

Chairman Pinto moved to come out of executive session. Vice Chairman Ameden seconded the motion, all in favor. Motion carried. Board came out of executive session at 8:00 PM.

Member Weaver moved to offer Gregory C. Gould a conditional offer of probationary employment for one year starting April 12, 2004. Vice Chairman Ameden seconded the motion, all in favor. Motion carried. Gregory C. Gould read and signed the "Conditional Offer of Probationary Employment" which will last for one year, April 13, 2005. Gregory C. Gould also acknowledged that he had read the "Winhall Police Department Agreement" and along with the Board of Selectmen signed this "Agreement". Mr. Gould was asked to meet with the Town Administrator to receive and fill in necessary forms before starting his duty. Mr. Gould was given a "Welcome Aboard" by the Board of Selectmen.

Chairman Pinto moved to issue information to Chief Whitesell that explains the Board's position on the Chief's FLSA exemption. Chief Whitesell is then to consult with his attorney. Once his attorney has reviewed the information, the Chief will ask the Board for another meeting date to discuss his attorney's findings. Member Weaver seconded the motion, all in favor. Motion carried.

Chairman Pinto moved to adjourn the meeting. Vice Chairman Ameden seconded the motion, all in favor. Motion carried.

The Board of Selectmen adjourned the meeting at 8:15 PM.

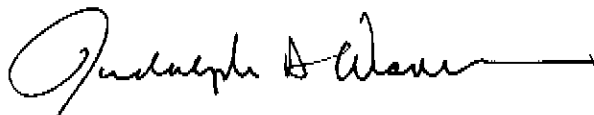
Selectboard – March 23, 2004 – page 2

Next Meeting: April 7, 2004  
Respectfully submitted,

Dennis C. McCarthy, Town Administrator

  
Frank Pinto, Chair

  
Randy Ameden, Vice Chair

  
Rudolph Weaver, Member

 **FILE**

April 8, 2004



**Town of Winhall Select Board Meeting**

**April 07, 2004**

**Agenda**

**Call To Order:**

**Meeting begins at 7:00 PM and adjourns at approximately 9:00 PM**

**Approval of Minutes: from March 17, 2004**

**Review Bills/Sign Orders**

**Public Comments**

**DEPARTMENT REPORTS**

**Green Mountain National Forest; Mr. & Mrs. Frank Burns**

**ZBA Appointment; Mr. Alexander MacKinnon, Chair**

**Listers; Bill Simmers office equipment requirements**

**School Board Appointment; Doug Velsor, Chair**

**Police/Rescue**

Monthly report; Chief Whitesell

**Buildings/Maintenance**

Monthly report; Nancy Oakes, Building Manager

**Roads**

Monthly report; Randy Kimball, Highway Foreman

Access Permit, Stratton Gardens-Lot #80 Todd Hill Road/Chadd Circle

Access Permit, Charles E. McLevy to serve lot 1-2 Todd Hill Road

Access Permit, Edgar L. Stoddard to serve lot Signal Hill/Sylvan Ridge Road

Overweight permit for: L&W Williams Construction, Inc.

Overweight permit for: Casella Construction, Inc.

Overweight permit for: Harvey Plimpton Excavating

Overweight permit for: Gould & Sons Well Drilling

**Transfer Station**

Monthly report; Randy Kimball, Transfer Station Supervisor

Community Service for yard cleanup at transfer station

Recycling percentage goal

**Old/Unfinished Business**

Municipal Forest;

Bennington County Forester Jim White and Stewardship Forester Lisa Thornton

**New Business**

Long Trail Pedometer Adventure; update

**Administrative**

VLCT Property Liability Insurance

Agency of Transportation; paving grant check \$97,122.00

Windham Regional Planning Commission Appointments

Update on March 29, 2004 at Manchester Town Office

Winhall Web Site; investigation

An Orientation for New Selectboards

GASB 34 Inventory starting amount (\$10,000)

**Announcements/Correspondence:**

Stratton Corporation and Mountain Reach Homeowners Association; Act 250 Land Use Permit

The Carlos Otis Clinic, Inc.; Act 250 Minor Application

Stratton Area Citizens Committee response to Stratton Mountain School to construct faculty buildings and dormitories

John Farrell; project review sheet ANR/ACT 250

VTrans; Grants for F/Y 2005 none allocated for Winhall in 2005

Three-year moratorium - wind turbines on Glebe Mountain

**Adjourn**

**Next Meeting: April 21, 2004 at 7:00 PM**

**TOWN OF WINHALL SELECTBOARD  
BONDVILLE, VERMONT**

Selectboard Meeting Minutes for April 7, 2004

---

**PRESENT:** Frank Pinto, Chair; Randy Ameden, Rudy Weaver, Jeff Whitesell (WPD), Randy Kimball (WHD), Lucia Wing, Secretary, Dennis McCarthy, Town Administrator

**ABSENT:** None

**IN ATTENDANCE:** Rick Kelly (Ranger Resources), Jim White (Bennington County Forester), Lisa Thornton (Stewardship Forester), Nancy Oakes, George Abel, Ed Molinelli, Bill Simmers (Town Lister)

**CALL TO ORDER:**

Pinto called the meeting to order at 7:00 PM at the Town Hall.

**PAY ORDERS:**

After review Pinto made the motion to approve pay order(s) #55, #56, #57 & #58 as presented; seconded by Weaver; unanimous.

**MINUTES OF PAST MEETING(S):**

After review, Ameden made the motion to approve the meeting minutes of March 17, 2004 as presented; seconded by Weaver; unanimous.

**PUBLIC COMMENT(S):**

*Bill Simmers* came before the Selectboard to discuss ordering a new and updated computer for the Town Listers; Simmers stated the State of Vermont would reimburse the Town for the cost of the new computer, approximately \$1600-\$1800 quoted by Dell. The SB asked the Town Administrator to help the Listers order the new computer and contact Gateway for a second quote as well.

**MUNICIPAL FOREST DISCUSSION:**

Next the Selectboard, Rick Kelly (Ranger Resources), and Jim White and Lisa Thornton (National Forest) discussed future management of the 600 acre municipal forest. First Kelly, who had been hired by the Town of Winhall in 1995 to manage the Town forest, gave an overview of the productivity of the forest. He reported the forest had been divided into four (4) compartments

and had produced timber sales of \$160,000 to the Town since 1997. Kelley had used both local saw mills and local loggers. He stated that even though the land was very productive, it was now time to "give back" to the forest for the future.

Kelly went on to say the reason he had been hired originally was because the National Forest had written the Town a letter stating they were unable to manage the municipal forest at that time. Jim White (Bennington County Forester) stated the National Forest was now interested in taking over management of the municipal forest; Kelly agreed it was a good idea because the State worked for no fee to the Town and would start a new inventory of the municipal forest which it badly needed. White added that in addition to the inventory and no fee, the National Forest would design a trail system for the public to use and enjoy. He suggested the Town develop literature about its forest including trail maps; White also suggested the Town carefully maintain its boundary lines.

White then invited the Selectboard to go on a field trip with him to observe how the National Forest planned to inventory the Town forest utilizing it to its fullest potential and opening it up for recreational use. The SB agreed to the field trip sometime later in the month before the leaves were on the trees. Although it would be a year before the State could actually inventory the forest, they would present the Town with a future plan.

**PUBLIC SAFETY (POLICE/FIRE/RESCUE) REPORT:**

- 1) Chief Whitesell and the Selectboard discussed the March police report for Stratton and Winhall including traffic tickets and warnings, law incidents, and agency assists outside of Winhall. Whitesell reported the US Open Snowboarding Championships went well re: security with no incidents; there were a few minor incidents after the Open had been concluded.
- 2) Whitesell reported false alarm calls were decreasing as a result of the Winhall Alarm Ordinance.
- 3) Whitesell also reported Tony Carroccio was stepping down as a part-time police officer; replacements were being interviewed. He then told the SB that Winhall Police and Rescue had won the Vermont Emergency Medical



Services "First Responder Service of the Year" award. The SB congratulated Whitesell and the Winhall Police Department.

**HIGHWAY & ROADS REPORT:**

1) The Selectboard approved and signed Access Permit(s) for Charles E. McLevy to serve Lots #1 & #2 (Todd Hill Road) and Edgar L. Stoddard (Signal Hill & Sylvan Ridge Road). They approved and signed overweight permits for L&W Williams Construction Inc.; Casella Construction, Inc; Harvey Plimpton Excavating; and Gould & Sons Well Drilling.

2) Kimball reported that there was a complaint by a homeowner in Deepwoods as a result of water across the road; according to Kimball there was nowhere for the water to be diverted, and digging up the road would potentially damage water lines.

3) Next Kimball presented the Selectboard with an estimate for \$118,710 from DeLurey Sales & Service for purchase of a new International dump truck for the Town which included the dump body and wing. DeLurey had given Kimball a \$23,500 trade-in allowance for the old International. At the Selectboard's request, Kimball would put the used International out to bid for the best offer over \$26,000; Kimball would get an estimate from Seward's Ford in Rutland as well. Ameden also suggested Kimball contact Charlie Kelton in White River Junction. The Selectboard agreed to approve the purchase of the new Town truck after receiving the second bid.

**TOWN TRANSFER STATION REPORT:**

Kimball reported that some commercial haulers were still bringing black garbage bags to the Transfer Station; the Selectboard asked the Town Administrator to write a letter addressing the situation. Kimball and the SB also discussed recycling percentage goals and using Community Service hours to clean up the yard at the Transfer Station.

**MUNICIPAL BUILDING(S) REPORT:**

Oakes reported the following to the Selectboard:

1) The status of the water hydrant re: hose hook-up(s) for watering the playing fields this summer. Oakes and the Selectboard also discussed various watering system(s) including moving hoses around; the time it

would take to accomplish the above; the WHD to set-up the hoses on a tripod system and potentially moving those hoses around; a reel in reel out system which Oakes stated was costly but efficient; and Oakes' actual physical involvement in the watering process. Oakes would get a price from Larry Jenks relative to the hydrant.

2) The parking lot at the school needed sweeping; Oakes would get it done during the week school was closed and the students on vacation.

3) Oakes asked Kimball to have the WHD move five (5) picnic tables at the school; put the soccer goal posts back up; put up new flag poles at the Town Hall; and power wash the Town Hall if possible. The SB asked Oakes to contact Vern Jenks as well to see if he had the time to power wash the building. The Town owned the equipment.

4) Oakes suggested the Selectboard authorize either a fence or boulders to prevent individuals from driving up to the pavilion and causing damage. The SB agreed parking on the grass at the pavilion would not be permitted.

5) Oakes reported the heating boiler at the school was leaking and needed repair, approximately \$1200-\$1500 for labor. The SB approved to go ahead.

6) Oakes submitted Sparky Electric's proposal for a generator at the Community Center at a cost of \$34,500 to the Town. The SB agreed to move forward. She also reported the copier at the school was on "its last legs." The SB would check into leasing vs. buying.

#### **ADMINISTRATIVE BUSINESS:**

1) After discussion the Selectboard agreed to have Sandy Mackinnon, ZBA Chair and Doug Velsor, School Board Chair come to the next meeting on April 21<sup>st</sup> to discuss their appointment choices for filling both ZBA and School Board vacancies. After that the Selectboard would institute a policy to advertise any vacant Town official positions first before making a decision.

2) The Selectboard agreed to move the time for all future meetings from Wednesday @ 7:00 PM to Wednesday @ 6:00 PM. All other administrative business would be discussed at the April 21<sup>st</sup> meeting.

**ANNOUNCEMENTS & CORRESPONDENCE:**

Announcements and correspondence included an Act 250 permit re: Stratton Corp. and Mountain Reach Homeowners Association; an Act 250 minor application for the Carlos Otis Clinic; SACC's response to the Stratton Mountain School re: construction of housing for faculty and students; an ANR project review sheet for John Farrell to construct a café; Vtrans grants for FY 2005 (none allocated for Winhall); and a three year moratorium re: wind turbines on Glebe Mountain.

**EXECUTIVE SESSION:**

At 10:45 PM the Selectboard voted to go into executive session re: personnel matters. Motion by Pinto; seconded by Ameden; unanimous. At 11:00 PM the Selectboard voted to come out of executive session; motion by Weaver; seconded by Ameden; unanimous.

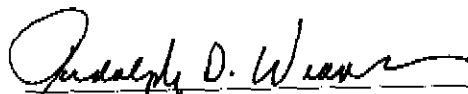
As there was no other business, the meeting was adjourned at 11:10 PM. Motion by Weaver; seconded by Ameden; unanimous.

**Next Meeting: Wednesday, April 21, 2004 at 6:00 PM.**

Lucia Wing, Secretary  
Winhall Selectboard

  
FRANK PINTO, CHAIR

  
RANDY A. AMEDEN

  
RUDOLPH D. WEAVER

TOWN CLERK'S OFFICE  
WINHALL, VT  
**RECEIVED**

Date: 4-21-04 at \_\_\_\_\_

Recorded-Book # \_\_\_\_\_ Page # \_\_\_\_\_

Attest:   
TOWN CLERK

**Town of Winhall Select Board Meeting  
April 21, 2004  
Agenda**

**Call To Order:**

Meeting begins at 6:00 PM and adjourns at approximately 9:00 PM

Approval of Minutes: from April 7, 2004

Review Bills/Sign Orders 6:00 to 6:30 PM

**Public Comments**

**DEPARTMENT REPORTS**

**ZBA Appointment; Mr. Alexander MacKinnon, Chair  
School Board Appointment; Doug Velsor, Chair**

**Police/Rescue**

**Buildings/Maintenance**

Monthly report; Nancy Oakes, Building Manager  
Open and Read Summer Maintenance Bids

**Roads**

Randy Kimball, Highway Foreman

Better Backroads Small Grants Program

Access Permit, Joseph M. Sullivan 39 Sylvan Ridge Road

Access Permit, David Dominski Southeast side of Round Tree Road

Access Permit, William N. Gardiner, Jr. 17 West Branch Road

Access Permit, Stewart Barker & Gary Greene #4 Deer Sweet Road

**Transfer Station**

Annual Compost Bin Sale – “Kitchen Compost Carrier” – Bennington County Regional  
Commission

Roving Hazardous Waste Day November 6, 2004 in Whitingham, Vermont

**Old/Unfinished Business**

Municipal Forest; Forest tour May 5, 2004 at 4:30 PM – Selectmen meet at 3 River Road  
Bennington County Forester Jim White and Stewardship Forester Lisa Thornton

**New Business**

Long Trail Pedometer Adventure; update

**Administrative**

Liquor License 2004 Renewal Bromley View Inn

Liquor License 2004 Renewal Winhall Market

Liquor License 2004 Renewal Noe Place Inn

VLCT Property Liability Insurance

Agency of Transportation; paving grant check \$97,122.00

Windham Regional Planning Commission Appointments

Winhall Appointments; Weigher of Coal – Pound Keeper – Inspector of Wood – Tree Warden

Update on March 29, 2004 at Manchester Town Office

Winhall Web Site; investigation

An Orientation for New Selectboards

GASB 34 Inventory starting amount (\$10,000)

Girls Scout Council of Vermont Donation

Vermont's 10<sup>th</sup> Historic Preservation Conference

VT ANR use of Winhall Community Center

Adele Rapp Costello-wastewater and potable water supply permit

Windham Regional Update on Route 30 Gateways Design Project

Town Administrator's Leave Request

**Announcements/Correspondence:**

The Carlos Otis Clinic, Inc.; Act 250

Letter to 655 Route 30 Winhall

Danyell Ray v. Town of Winhall (settled)

Zoning Violation Notice April 13, 2004

**Adjourn**

Next Meeting: May 5, 2004 at 6:00 PM

**Town of Winhall  
PO Box 420  
Bondville, VT 05340**

**Frank Pinto, Chairman  
Randy Ameden  
Rudolph Weaver**

**802-297-2119  
802-297-2177 FAX  
Email: townhall@adelphia.net**

**2004 Selectboard Meeting Schedule**

The Board of Selectmen of the Town of Winhall hereby approve the following meeting schedule for 2004.

The Board will meet on the **first** and **third** Wednesday of the month, January 1 – December 31, 2004 – 6:00 PM, in the Town Hall unless otherwise posted.

Notice of changes will be posted at: Town Hall, Winhall Market, U.S. Post Office.

January	7	21	
February	4	18	
March	3	17	(Town Meeting Day Tuesday March 2nd)
April	7	21	
May	5	19	
June	2	16	
July	7	21	
August	4	18	
September	1	15	
October	6	20	
November	3	17	
December	1	15	

Approved:

Board of Selectmen  
Town of Winhall

December 17, 2003  
Revised 04/07/04

**TOWN CLERK'S OFFICE  
WINHALL, VT**

**RECEIVED**

Date: May 10, 2004 at 9am  
Recorder-Book # 210 Page # 1  
Attest: Elizabeth Kelly  
TOWN CLERK

**Town of Winhall  
Select Board Meeting  
March 23, 2004  
Agenda**

**Call To Order:  
Meeting begins at 6:00 PM**

**It is expected that the Winhall Selectboard will go into Executive Session**

**Administrative:  
Interview of a potential replacement full time Police Officer  
Discussion of a contractual specification**

TOWN CLERK'S OFFICE

WINNHALL, VT

RECEIVED

Date: May 1, 2004 at \_\_\_\_\_

Recorded Book # \_\_\_\_\_ Page # \_\_\_\_\_

Attest: [Signature] TOWN CLERK

## TOWN OF WINHALL SELECTBOARD

Meeting Minutes for April 21, 2004

---

**PRESENT:** Frank Pinto, Chair; Randy Ameden, Rudy Weaver, Lucia Wing, Secretary, Dennis McCarthy, Town Administrator

**ABSENT:** Jeff Whitesell (WPD), Randy Kimball (WHD)

**IN ATTENDANCE:** Nancy Oakes, George Abel, Ed Molinelli, Kate Coleman (Town Treasurer), Doug Velsor (School Board), Sandy Mackinnon (ZBA), Brian Bishop, Courtney Snocker, Gabe Slade, Isaiah Slade

### **CALL TO ORDER:**

Pinto called the meeting to order at 6:00 PM at the Town Hall.

### **PAY ORDERS:**

After review Pinto made the motion to approve pay order(s) #59, #60, #61 & #62 as presented; seconded by Weaver; unanimous.

### **MINUTES OF PAST MEETING(S):**

After review, Ameden made the motion to approve the meeting minutes of April 7, 2004 as amended; seconded by Weaver; unanimous.

### **PUBLIC COMMENT(S):**

*Sandy Mackinnon (ZBA)* came before the SB to discuss the appointment of Tom Managgia to the Winhall Board of Adjustment. Mackinnon commented that Managgia would be an excellent candidate to fill the position vacated by Rudy Weaver. Next *Doug Velsor (Winhall School Board)* came before the SB to discuss the appointment of Vicky Bellafato to the Winhall School Board; Velsor explained that Bellafato was a more than qualified candidate willing to fill the position vacated by Diane Whately. After discussion, the Selectboard, Velsor, and Mackinnon agreed to a policy to advertise vacant Town positions first, and then have the Board Chairs interview potential candidates and make their recommendations to the Selectboard. The Selectboard would pay for the advertising. At the recommendation of Doug Velsor, Weaver made the motion to appoint Vicky Bellafato to the Winhall School Board; seconded by Pinto; unanimous. At

the recommendation of Sandy Mackinnon, Weaver made the motion to appoint Tom Managgia to the Winhall Board of Adjustment pending his obtaining Town dog licenses to comply with the Winhall Dog License Ordinance; seconded by Pinto; unanimous. Pinto would contact Managgia to talk to him about licensing his dogs.

*Gabe Slade* came before the Selectboard to talk about his Community Service hours. After discussion, the Selectboard agreed to issue Slade a letter crediting him for nine (9) community service hours. Slade needed an additional 40-50 hours to complete his Community Service requirement; he agreed to participate in Green-Up Day on May 1<sup>st</sup>; and both Nancy Oakes and Randy Kimball would contact him if they needed additional work. Slade agreed.

*George Abel* reported the Windham Regional Transportation Committee wanted to make a presentation to the Winhall Selectboard the second meeting in May to find out Winhall's needs relative to Town roads.

**PUBLIC SAFETY (POLICE/FIRE/RESCUE) REPORT:**

(None)

**HIGHWAY & ROADS REPORT:**

1) The Selectboard approved and signed Access Permit(s) for Joseph M. Sullivan, 39 Sylvan Ridge Road; David Dominski, southeast side of Round Tree Road; William N. Gardiner, Jr., 17 West Branch Road; and Stewart Barker & Gary Greene, #4 Deer St. Road.

2) The Town Administrator reported the Better Backroads Small Grants Program was available to Winhall for road projects under \$5000 (i.e. ditching, erosion control, etc.). Pinto suggested Deep Woods Road which had water drainage problems; the Town Administrator would contact Randy Kimball.

**TOWN TRANSFER STATION REPORT:**

The Town Administrator asked the Selectboard permission to post pamphlets announcing the Annual Compost Bin Sale- "Kitchen Compost Carrier"- Bennington County Regional Commission. In addition, the



Selectboard discussed the roving Hazardous Waste Day scheduled for November 6, 2004 in Whitingham, Vermont. They also discussed scheduling one in Winhall as well. The Town Administrator would contact the Windham Solid Waste District and find out the details.

**MUNICIPAL BUILDING(S) REPORT:**

Oakes and the Selectboard discussed the following:

1) **The summer maintenance bids:** Bidders Brain Bishop (Brain's Landscaping) and Isaiah Slade (Maintenance & Landscaping) were present. Bids included: Homestead Landscaping (athletic fields only)- \$6,137.98; Ralph Coleman- \$6,500; Brian's Landscaping- \$7,290; D. Glabach Assoc. Inc.- \$7,600; Black Diamond Property Management- \$8,200; Isaiah Slade Maintenance & Landscaping- \$8,400; Drydens Outdoor Inc.- \$8,985; and Ten Guys Sweeping- \$15,680. Slade stated he planned to purchase adequate equipment to fertilize the playing fields. The SB agreed to go into executive session to review the proposals and from this session to choose one of the bidders to perform the Summer Maintenance Position.

2) **The new Storage building:** After walking the school property lines, Nancy Oakes and Dennis McCarthy discovered the new storage shed was mostly on land owned by Jack Schwartz. Suggestions were to move the shed to another location or talk to Jack Schwartz about purchasing the piece of land where the shed was currently located. Frank Pinto agreed to contact Jack Schwartz before the Selectboard made a decision.

3) **The proposed generator at the school:** After discussion about Sparky Electric's proposal to install a \$35,000 generator at the school, Frank Pinto asked Nancy Oakes to get another bid and they would make a decision at the next Selectboard meeting.

4) **The watering system for the playing fields:** Nancy Oakes reported she had talked with Larry Jenks about the hydrant re: manifold system for the playing fields. Apparently the State would not allow that type of system to be installed. Suggestions were to connect a hose to the outside water spigot and bury the hose, and connect it to the manifold. Larry Jenks said he could increase the water pressure; Nancy Oakes would get a price from Larry Jenks and try it out with the hose above ground before making it permanent.

5) **Boulder delivery to the school:** Oakes reported she had called Chaves to deliver six (6) boulders to the school to prevent cars from being driven up to the pavilion and playing fields. The cost for delivering the boulders was \$300; the Selectboard agreed to go ahead with the delivery.

6) **Power washing the Town Hall:** Next Oakes reported Vern Jenks had quoted \$975 to power wash the Town Hall. After further discussion, the Selectboard agreed to skip power washing the building this year. The SB also discussed replacing the windows at the Town Hall which were in need of major repair. Randy Ameden would contact Miles, Dennis Roy, and Melton Sherman for more input.

7) **Planting a tree on Earth Day:** Oakes reported the 3rd and 4th grade had written the Selectboard a letter asking permission to plant a tree on Earth Day, April 22<sup>nd</sup>; the tree would be donated by 4<sup>th</sup> grader, Patrick Cote. The SB agreed and asked Oakes to find an appropriate spot.

**ADMINISTRATIVE BUSINESS:**

1) The Selectboard agreed to a Municipal Forest tour with Jim White (Bennington County Forester) and Lisa Thornton (Stewardship Forester) on May 5<sup>th</sup> at 4:30 PM.

2) After McCarthy updated the SB re: Long Trail Pedometer Adventure, the SB signed liquor licenses for the Bromley View Inn; Winhall Market; and Noe Place Inn. They also unanimously appointed Ted Friedman and George Abel to the Windham Regional Planning Commission; motion by Pinto; seconded by Ameden; unanimous. McCarthy also reported that Winhall had received the Agency of Transportation paving grant check for \$97,122.00.

3) The Town Administrator reported the VLCT property liability insurance would increase by \$760 to cover added municipal property value of \$354,000. He also updated the Selectboard re: March 29<sup>th</sup> meeting at the Manchester Town Offices relative to the Route 30 closing this past winter.

4) Next McCarthy reported he was investigating the cost to have a Winhall web site; he also talked about an orientation program in Winhall for new

Selectboard- April 21, 2004- page 5

Selectboard members at a cost of \$350 for the presentation. New Selectboard members from other towns could be invited to the presentation as well.

5) After review, the Selectboard agreed to \$10,000 as the starting inventory amount re: GASB 34 to help Winhall establish a financial inventory list for future bonds or loans.

6) The Selectboard agreed not to donate to the Girl Scout Council of Vermont. They did agree to let the Agency of Natural Resources use the Community Center on April 29<sup>th</sup>. They did agree to the Town Administrator's request for a leave of absence on April 29<sup>th</sup>, May 3-5, and May 20-21 for a two-day conference in Grafton (\$310 including overnight). In addition, the SB agreed to Beth Jenks' request to attend a week long conference for town clerks August 1-6<sup>th</sup> (\$675).

#### **ANNOUNCEMENTS & CORRESPONDENCE:**

Announcements and correspondence included Vermont's 10<sup>th</sup> Historic Preservation Conference; Adele Costello's wastewater and potable water supply permit; WRC's update on Route 30 Gateways Design Project- George Abel, Lou Costanzo, Darlene Palola committee members; Carlos Otis Clinic's Act 250 permit; letter to 655 Route 30 Winhall; Danyell Ray v. Town of Winhall (settled); and Zoning Violation Notice April 13<sup>th</sup> for a modular house constructed without a building or health permit.

#### **EXECUTIVE SESSION:**

At 9:25 PM the Selectboard voted to go into executive session re: contractual matters. Motion by Pinto; seconded by Ameden; unanimous. At 10:30 PM the Selectboard voted to come out of executive session; motion by Weaver; seconded by Ameden; unanimous.

As there was no other business, the meeting was adjourned at 10:35 PM. Motion by Weaver; seconded by Ameden; unanimous.

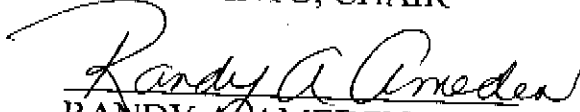
**Next Meeting: Wednesday, May 5, 2004 at 6:00 PM.**

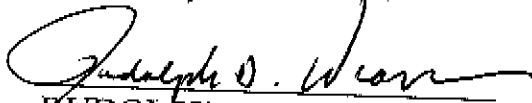
Selectboard- April 21, 2004- page 6

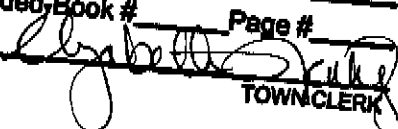
Meeting minutes respectfully submitted by,

Lucia Wing, Secretary  
Winhall Selectboard

  
FRANK PINTO, CHAIR

  
RANDY A. AMEDEN

  
RUDOLPH D. WEAVER

TOWN CLERK'S OFFICE  
WINHALL, VT  
**RECEIVED**  
Date: May 10, 2004 at \_\_\_\_\_  
Recorded, Book # \_\_\_\_\_ Page # \_\_\_\_\_  
Attest:   
TOWN CLERK

**Town of Winhall Select Board Meeting  
May 5, 2004  
Agenda**

**SPECIAL MEETING TO VIEW THE MUNICIPAL FOREST 4:30 PM – MEET AT 3 RIVER ROAD, WINHALL**

**Call To Order:**

**Meeting begins at 6:00 PM and adjourns at approximately 9:00 PM  
Approval of Minutes: from April 21, 2004  
Review Bills/Sign Orders**

**Public Comments**

**DEPARTMENT REPORTS**

**Police/Rescue**

**Buildings/Maintenance**

**Announcement of Summer Maintenance Position  
The Mountain School – copier**

**Roads**

**Randy Kimball, Highway Foreman**

**Transfer Station**

**Annual Compost Bin Sale – Windham County Solid Waste Management District**

**Old/Unfinished Business**

**Municipal Forest;**

**Bennington County Forester Jim White and Stewardship Forester Lisa Thornton  
Green Mountain Forest Wildlife Openings**

**New Business**

**Delta Dental – New Rate**

**Administrative**

**Winhall Web Site; meeting at Howard Dean Education Center, Springfield, May 18, 2004  
Tuesday, 9:00 AM to 3:45 PM.**

**Announcements/Correspondence:**

**VLCT Weekly Legislative Report**

**Health Care and Rehabilitation Services of Southeastern Vermont – Thank You**

**VLCT Monthly News**

**Stratton Corporation, Act 250 Land Use Permit #2W0519-15,  
Commons II Hearthstone Lodge**

**Adjourn**

**Next Meeting: May 19, 2004 at 6:00 PM**

# TOWN OF WINHALL SELECTBOARD

Meeting Minutes for May 5, 2004

## MEETING TO VIEW THE WINHALL MUNICIPAL FOREST

**PRESENT:** Frank Pinto, Chair – Randy Ameden, Rudy Weaver, Ed Molinelli, Jim White, Bennington County Forester – Dennis McCarthy, Town Administrator/Secretary

The individuals mentioned above meet at the Town Office at 4:30 PM and drove to the Winhall Municipal Forest. Upon arrival the members walked the Forest with Forester White who explained the need for a management study to continue a good stewardship for the Town of Winhall. Jim showed and explained several aspects about the forest some of the highlights are as follows:

- 1) The value of a tree and how that is determined.
- 2) How a logging landing is formed and its uses (other than logging). The landing area would remain for parking if the Board decided to initiate a recreation area.
- 3) That the Forest is Old, "there are old trees and big trees and sometimes they are not the same".
- 4) How to have a select opening of the forest in 15% of the forest, and create these areas on a schedule of 15 years apart. This will allow for different ages and species of trees.
- 5) The logging roads are extensive, quite good and will allow for a valuable natural trail walking experience.
- 6) What spalped wood is (rotten).
- 7) Where a bear has gone up a beech tree for the nuts, and the markings that are left by the bear (a bear will feed 24 hours a day preparing for hibernation).
- 8) That the forest has been extensively cut and the major trees have been harvested.
- 9) How large valueless trees are girdled and left to decompose over time for the good of the forest.
- 10) How the tops left from a harvest should be allowed to pile up and protect the future trees from the deer.
- 11) That the Windham Regional Planning Commission should be able to help the Town secure funds to mark trails, prepare a parking area and create trail maps.

TOWN CLERK'S OFFICE  
WINHALL, VT

RECEIVED

Date: May 27, 2004 at 9am

Recorded Book # 2 Page # 26-27

Attest: Elizabeth White

TOWN CLERK

Selectmen's Meeting – May 5, 2004 – minutes – page 2

The Administrator was instructed to research the deeds for access to the Winhall Municipal Forest and to make sure the Town can access the forest for recreation purposes.

The Winhall Municipal Forest consists of 623.6 acres in Jamaica and 41.4 acres in Winhall.

The tour ended around 6:00 PM and all returned to the Town Hall to hold the regular portion of the Selectmen's meeting.

**PRESENT:** Frank Pinto, Chair – Randy Ameden, Rudy Weaver, Dennis McCarthy, Town Administrator/Secretary

**IN ATTENDANCE:** Jim White, Bennington County Forester; Ed Molinelli, George Abel, Kate Coleman, Treasurer; Randy Kimball, Highway Foreman

**CALL TO ORDER:**

Frank Pinto called the meeting to order at 6:00 PM, 3 River Road, Winhall.

**PAY ORDERS:**

After review Frank Pinto made a motion to approve pay order(s) #63, #64 & #65 as presented; seconded by Randy Ameden; motion carried, unanimous.

The Board discussed the issue of the Pitney Bowes Postage Meter. It is the recommendation of the Town Administrator, Town Clerk and the Town Treasurer to discontinue the use of the Meter. The Meter and Scale cost the Town \$30.75 per month plus other fees; late, finance, postage transaction charge. The recommendation also was made to supply the Town Administrator, Town Clerk and Town Treasurer with rolls of stamps, envelopes with postage and to have a petty cash box for mailings outside the everyday requirements. Frank Pinto made the motion to follow the recommendations provided by the Administrator, Town Clerk and Town Treasurer; seconded by Rudy Weaver; motion carried, unanimous.

The Board was asked to support the Winhall Industrial Society this year (as has been done in past years, 2004) by placing an ad in The Bondville Fair Program. The cost of the ad will be \$110.00. Frank Pinto moved to place an ad in the Program; seconded by Randy Ameden, motion carried, unanimous.

**MINUTES OF PAST MEETING(S):**

After review, Frank Pinto made a motion to approve the minutes of 4/21/04 with the following amendment; Page 3, 1) The summer maintenance bids: last sentence; “The SB agreed to go into executive session to review the proposals and from this session to choose one of the bidders to perform the Summer Maintenance Position”; seconded by Rudy Weaver; motion carried, unanimous, the Board signed the 4/21/04 minutes.

**PUBLIC COMMENT(S):**

George Abel addressed the Selectmen on the meeting he attended at the Regional Planning Commission about calming devices on Route 30 in Bondville. Bill Nupp and Mark Hall from the Stratton Corporation attended the meeting and stated that the Corporation would pay for the calming devices in Winhall/Bondville. The Beautification Committee needs to be asked if they would maintain the curbing in front of the Post Office. The curbing needs to be cut out and have topsoil and flowers added, this would calm traffic. George will contact the Beautification Committee and ask them to come on board with this project. The four towns that were present at the meeting agreed that the proposal was a worthy one.

The Board was asked to develop a list of calming solutions that can be presented to Steve Ovenden on the 19<sup>th</sup> of May. The Selectmen discussed the solutions and came up with the following list.

- 1) Sidewalk both sides of Route 30
- 2) Lighting in this area (electric V gas V solar)
- 3) Installation of the proposed sign with lighting
- 4) Rumble strips
- 5) Crosswalk in front of Winhall Store and the Post Office
- 6) Stripping
- 7) Planting of curb in front of Post Office

George said that the Winhall Planning Commission should be keep informed about this project and asked for their input. They will be invited to a meeting once the Selectboard has finalized the list for Steve Ovenden.

Frank Pinto reported on his meeting with Mr. Bob Jones at the transfer station. Frank showed Mr. Jones the clothes swap shop project and how it would operate when finished. Mr. Jones said that his trust would be able to



**Selectboard – May 5, 2004 – page 4**

contribute between \$2,000 and \$3,000 for this project. Frank will design the containers for the clothing.

**POLICE/RESCUE:**

No report issued.

**BUILDING/MAINTENANCE:**

Frank Pinto moved to ratify the action of the Board in choosing Brian's Landscaping (Brian Bishop) for the Summer Maintenance Position. Brian's Landscaping was awarded the bid because of the price submitted and the availability of proper equipment to perform the tasks; seconded by Rudy Weaver; motion carried, 2/1, Randy Ameden abstained from the vote because of possible appearance of conflict with his nephew Tim Oakes bidding the position.

The Board read the two prices that were presented to replace the copier at The Mountain School; Ikon presented a price of \$281.54/month for 36 months, Green Mountain Office Machines presented a price of \$273.76/month for 36 months. There was insufficient literature from Ikon to make a reasonable decision. The Administrator was instructed to contact both parties and secure sufficient information for the meeting of May 19, 2004.

**ROADS:**

Though two access permits did not make the agenda warning the Selectboard moved to approve them. Frank Pinto moved to approve access permits for #11 Jamie Lane, #21 Jamie Lane and #47 Stratton Garden Road – changed from #58 Garden Loop Road, seconded by Randy Ameden, motion carried, unanimously.

Randy Kimball, Highway Foreman brought to the Boards attention an issue that he has been trying to rectify for sometime. The brake cans on truck #3, year 2000, continue to break. Delurey Sales & Service Inc. sends Randy the parts but the Town has had to pay for all labor. This has been going on for 4 years with 3 to 4 canisters per winter and 6 to 7 hours for changing each canister for an approximate cost of \$7,000 over the last four years. After discussion by the Board the decision was made to have Frank contact Rob Woolmington and have Rob handle contacting Delurey's and International.

**Selectboard – May 5, 2004 – page 5**

**TRANSFER STATION:**

The annual solid waste compost bins flier is available at the Transfer Station and anyone wanting to purchase one should place their order no later than May 20, 2004. The bins will be available at the Windham County Solid Waste Management District on June 26, 2004.

The Selectboard discussed the vacation time for Jason Berube from May 14 through May 16, 2004. Randy Ameden moved approval, seconded by Rudy Weaver, motion carried, unanimous.

**OLD/UNFINISHED BUSINESS:**

Winhall Municipal Forest – refer to first page of the minutes for May 5, 2004.

Green Mountain Forest Wildlife Openings – The Town received two notices concerning Wildlife Openings. One was from Chris Casey, Acting District Ranger stationed at 99 Ranger Road, Rochester, Vermont 05767-9431 the other was from Gina Owens, District Ranger stationed at 2538 Depot Street, Manchester Center, Vermont 05255. The Board had sent a letter in support of the Wildlife Openings and the notices instructed the Board that the Wildlife Openings had been approved.

**NEW BUSINESS:**

The Board received notice from Delta Dental that the dental insurance was being increased by 4.27%. The single rate is \$14.75 per month and will be increasing to \$15.38 on July 1, 2004. The Board took note of this increase and will continue to monitor all insurance costs through the Town Administrator.

**ADMINISTRATIVE:**

The Town Administrator reported on a meeting to be held in Springfield on May 18, 2004. After discussion the Board decided to have the Administrator research whether the meeting will be held again and if not can he be copied on the information at the May meeting. The Board moved not to have the Administrator attend on the 18<sup>th</sup>.

**Selectboard – May 5, 2004 – page 6**

**ANNOUNCEMENTS/CORRESPONDENCE:**

The Board was informed about the following items:

1) The VLCT weekly Legislative Report – Last issue of 2004 weekly legislative report.

2) A thank you letter from Health Care and Rehabilitation Services of Southeastern Vermont – the town supporting the services by voting a \$300 appropriation at Town Meeting.

3) The VLCT Monthly News Report – Selectboard's five-point financial review.

4) A letter to Linda Matteson, Assistant District Coordinator for District 2 Environmental Commission from Steven A. Reynes of Primmer & Piper Law Office. Relating to a request for administrative amendment to Land Use Permit #2W0519-15.

5) Northshire Farm for horses opened on Winhall Hollow Road.

6) A letter from Mr. Peter A. Salo concerning a violation letter received by Mr. Salo.

7) Information from The Great Escape & Splashwater Kingdom, a Six Flags Theme Park.

8) The monthly financial report from Kate Coleman, Treasurer.

9) That there is another new business in town known as Construction Landscape owned by Mr. Jim Ryan.

10) A letter from Verizon offering a phone deal – the Town has Norcom – the change was handled by Frank Pinto and is better financially for Winhall than Verizon's offering.

11) A solicitation renewal from Quinlan "Grants for Cities and Towns". After discussion the Board instructed the Administrator to not renew the subscription with Quinlan.

**EXECUTIVE SESSION:**

Rudy Weaver moved to go into Executive Session to discuss Personnel Policy, Frank Pinto seconded, the motion carried, unanimously. The Board went into Executive Session at 8:30 PM.

At 10:15 PM Rudy Waver moved to come out of Executive Session; seconded by Frank, motion carried, unanimous. No decisions were made.

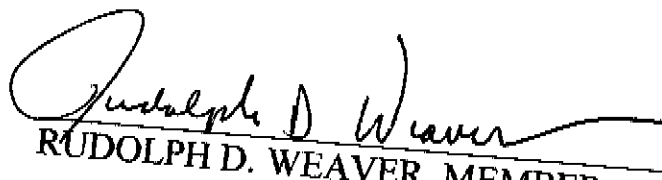
**Next Meeting: Wednesday, May 19, 2004 at 6:00 PM**

**Selectboard -- May 5, 2004 -- page 7**

Meeting minutes respectively submitted by,  
Dennis C. McCarthy  
Town Administrator/Secretary

  
FRANK R. PINTO, CHAIR

  
RANDY A. AMEDEN, VICE CHAIR

  
RUDOLPH D. WEAVER, MEMBER

**Town of Winhall Select Board Meeting  
May 19, 2004  
Agenda**

**Call To Order:**

**Meeting begins at 6:00 PM and adjourns at approximately 9:00 PM**

**Approval of Minutes: from May 05, 2004**

**Review Bills/Sign Orders**

**Public Comments**

**DEPARTMENT REPORTS**

**Police/Rescue**

The Mountain School Expo – Riley Rink – May 29 and May 30, 2004 – Patrol Vehicle

**Buildings/Maintenance**

Building and Grounds Supervisor Monthly Report – Nancy Oakes

The Mountain School – copier

Archives - lights

**Roads**

Randy Kimball, Highway Foreman

Truck #3 – 2000 brake information

Overweight Permit Carleton Trucking Inc.

Access Permit - Robert H. & Jamie A. Ward - lot 3 - Old Town Road

Access Permit Wylie Construction, Inc. – lot #5 – Beechwood  
Ridge

**Transfer Station**

Annual Compost Bin Sale – Windham County Solid Waste Management District – individuals have until May 20, 2004 to register – forms available at the Transfer Station or Town Office.

Transfer Station electrical needs – office heater – electrical outlets and lights for new recycling building

**Old/Unfinished Business**

V Trans 2005 Enhancements Grants – Route 30 Calming

Town Highway #19 legality of “thrown up”

**New Business**

Consumption of alcoholic beverages on Town owned property.

Town Cemetery Surveys

**Administrative**

**Announcements/Correspondence:**

Stratton Corporation, Act 250 Land Use Permit #2W0519-15, Commons II Hearthstone Lodge – change has been granted.

Stratton Mountain School Permit #2W1076-2 Land Use Amendment - granted

Green Mountain Forest Plan Revision Planning Meeting

**Executive Session:**

Personnel Contract

**Adjourn**

**Next Meeting: June 02 2004 at 6:00 PM**

## **TOWN OF WINHALL SELECTBOARD**

Meeting Minutes for Wednesday, May 19, 2004

---

**PRESENT:** Frank Pinto, Chair; Randy Ameden, Rudy Weaver, Randy Kimball (WHD), Lucia Wing, Secretary, Dennis McCarthy, Town Administrator

**ABSENT:** Jeff Whitesell (WPD)

**IN ATTENDANCE:** Kate Coleman (Town Treasurer), Darlene Palola

### **CALL TO ORDER:**

Pinto called the meeting to order at 6:00 PM at the Town Hall.

### **PAY ORDERS:**

After review Pinto made the motion to approve pay order(s) #66, #67, & #68 as presented; seconded by Weaver; unanimous.

### **MINUTES OF PAST MEETING(S):**

After review, Ameden made the motion to approve the meeting minutes May 5, 2004 as presented; seconded by Weaver; unanimous.

### **PUBLIC COMMENT(S):**

*Darlene Palola (Beautification Committee)* came before the Selectboard asking permission to dress up the front of the Bondville Post Office by placing whiskey barrels planted with flowers. The SB agreed to Palola's request pending State highway and landowner approval.

### **PUBLIC SAFETY (POLICE/FIRE/RESCUE) REPORT:**

After discussion about an extra Winhall police officer to control traffic re: the Mountain School Flower Show scheduled at the Riley Rink May 29<sup>th</sup> & May 30<sup>th</sup>, Pinto made the motion for the Town to donate the police vehicle. Seconded by Ameden; unanimous. The Mountain School would pay for the officer's time.

### **HIGHWAY & ROADS REPORT:**

1) The Selectboard approved and signed Access Permit(s) for Robert & Jamie Ward, Lot #3, Old Town Road and Wylie Construction, Inc., Lot #5,

Beechwood Ridge Road. As well, the Selectboard approved and signed an Overweight Permit for Carleton Trucking, Inc.

2) Randy Kimball reported as a result of having Truck #3's brakes worked on approximately (15) times, Rob Woolmington (representing the Town) would send International a letter lodging a formal complaint. Kimball also reported blacktopping would begin on Winhall Hollow Road on June 7<sup>th</sup>, and he was beginning to stockpile sand for next winter. Kimball and the Selectboard also discussed re-staining the Town garage as stain was beginning to peel off after 4 years. Kimball explained most likely water was getting behind the stain causing peeling; Ameden suggested reattaching the plywood first before staining. Kimball and the SB discussed putting up metal siding as well. The Selectboard agreed that something would have to be done to the building next year.

**TOWN TRANSFER STATION REPORT:**

The Town Administrator reminded the Selectboard individuals had until May 20<sup>th</sup> to register for the Annual Compost Bin Sale (Windham County Solid Waste Management District); forms were available at the Transfer Station or Town Office. Town Adm. McCarthy and the SB also discussed electrical needs at the Transfer Station to include an office heater and electrical outlets and lights for the new recycling building. Sparky Electric would do the work. Eddie Shattuck had been hired as the new part-time Transfer Station attendant. The SB also discussed clearing an area for more bins.

**MUNICIPAL BUILDING(S) REPORT:**

(None)

**OLD UNFINISHED BUSINESS:**

1) The Town Administrator reported Vtrans 2005 grant money was available for lights, crosswalks, and dynamic striping re: Route 30 Calming project. He suggested the Selectboard draft a letter of intent to the State first stating what the Town would like to see in Bondville relative to lighting, striping, crosswalks, then apply for the grant. Stratton would contribute \$15,000-\$18,000 to the Route 30 project. Palola commented the crosswalk should be handicap accessible if possible.

Selectboard- May 19, 2004- page 3

2) After discussion with the Town Administrator, the Selectboard decided for legal reasons to go through the procedure of "throwing up" Town Highway #19 a second time.

3) After reviewing the proposal(s) between Green Mountain Office Machines and Ikon and at the recommendation of the Town Administrator, Pinto made the motion to lease an Imagistics IM 3510 copier for the Mountain School from Green Mountain Office Machines; seconded by Ameden; unanimous.

**NEW BUSINESS:**

1) Next the Selectboard discussed the consumption of alcoholic beverages on Town owned property on a limited basis for special occasions. They agreed to look into formulating a policy.

2) The SB next discussed getting a Town cemetery survey. McCarthy suggested advertising for a committee or finding residents who were interested and knowledgeable to help map out the cemetery. The Selectboard asked McCarthy to go ahead with the ad and investigate available grant money. They also agreed to put money in the budget for stone work.

**ADMINISTRATIVE BUSINESS:**

(None)

**ANNOUNCEMENTS & CORRESPONDENCE:**

Announcements and correspondence included Stratton Corporation Act 250 Land Use Permit for Commons II (Hearthstone Lodge); Stratton Mt. School Act 250 Land Use Amendment; and Green Mountain Forest Plan revised planning meeting.

**EXECUTIVE SESSION:**

At 9:05 PM the Selectboard voted to go into executive session re: personnel policy. Motion by Pinto; seconded by Ameden; unanimous. At 9:30 PM the Selectboard voted to come out of executive session; motion by Weaver; seconded by Ameden; unanimous.



Selectboard- May 19, 2004- page 4

As there was no other business, the meeting was adjourned at 9:35 PM.  
Motion by Weaver; seconded by Ameden; unanimous.

**Next Meeting: Wednesday, June 2, 2004 at 6:00 PM.**

Meeting minutes respectfully submitted by,

*Lucia Wing*  
Lucia Wing, Secretary  
Winhall Selectboard

*Frank R Pinto*  
FRANK PINTO, CHAIR

*Randy A Ameden*  
RANDY A. AMEDEN

*Rudolph D. Weaver*  
RUDOLPH D. WEAVER

TOWN CLERK'S OFFICE  
WINHALL, VT

RECEIVED

Date: June 10, 2004 at 1:00 PM  
Recorded-Book # \_\_\_\_\_ Page # \_\_\_\_\_  
Attest: *Elizabeth Ruby*  
TOWN CLERK

**Town of Winhall Select Board Meeting  
June 2, 2004  
Agenda**

**Call To Order:**

**Meeting begins at 6:00 PM and adjourns at approximately 9:00 PM  
Approval of Minutes: from May 19, 2004  
Review Bills/Sign Orders**

**Public Comments**

**DEPARTMENT REPORTS**

**Police/Rescue**

Chief Whitesell's monthly Department report  
Crisis Management Plan

**Buildings/Maintenance**

**Roads**

Randy Kimball, Highway Foreman  
Beaver Control – Robert Barker  
Overweight Permit – Wilk Paving, Inc.

**Windham Regional Planning Commission**

Steven E. Ovenden, AICP – Highway funding opportunities for Winhall

**Transfer Station**

Used metal market – Funds received from Advanced Recycling - \$113.75 April 2004  
Hazardous Waste Day – Locations  
Transfer Station – Holiday's

**Old/Unfinished Business**

V Trans 2005 Enhancements Grants – Route 30 Calming

**New Business**

Alcoholic Beverage Restriction Ordinance

**Administrative**

**Announcements/Correspondence:**

WRPC – Amendments to State Statutes Governing Local Zoning – Title 24, Chapter 117  
Brattleboro Development Credit Corporation – 50<sup>th</sup> Anniversary June 24, 2004  
"The Town Green" – Newsletter of Vermont Urban & Community Forestry Program

**Executive Session:**

Personnel Policies, Rules, and Contracts

It is assumed that the Selectboard will move to go into executive session

**Adjourn**

**Next Meeting: June 16, 2004 at 6:00 PM**

## **TOWN OF WINHALL SELECTBOARD**

Meeting Minutes for Wednesday, June 2, 2004

---

**PRESENT:** Frank Pinto, Chair; Randy Ameden, Rudy Weaver, Jeff Whitesell (WPD), Lucia Wing, Secretary, Dennis McCarthy, Town Administrator

**ABSENT:** Randy Kimball (WHD)

**IN ATTENDANCE:** Kate Coleman (Town Treasurer), George Abel, Ed Molinelli, Jason Berube, Nancy Oakes

### **CALL TO ORDER:**

Pinto called the meeting to order at 6:00 PM at the Town Hall.

### **PAY ORDERS:**

After review Pinto made the motion to approve pay order(s) #69, 70 & 71 and hold Dave Chaves' bill in the amount of \$4,920; seconded by Weaver; unanimous.

### **MINUTES OF PAST MEETING(S):**

After review, Ameden made the motion to approve the meeting minutes May 19, 2004 as amended; seconded by Weaver; unanimous.

### **PUBLIC COMMENT(S):**

(None)

### **PUBLIC SAFETY (POLICE/FIRE/RESCUE) REPORT:**

1) Chief Whitesell and the Selectboard discussed the April monthly police report including traffic tickets and warnings and law incidents. The SB commented that false alarm incidents were still high.

2) Next Whitesell and the SB discussed the Homeland Security Grant(s) awarded to the Town of Winhall to purchase police and rescue equipment. Total equipment cost(s) approved and paid for by Homeland Security amounted to \$8,593 for the WPD and \$7,495 for rescue. Whitesell added they had until May 31, 2005 to order the equipment, but he planned to order the equipment this fall.

3) Next Whitesell and the Selectboard discussed creating a Crisis Management Plan for the school as it currently did not have one. Whitesell suggested modeling the plan after one developed by Northeast Elementary School in New York State which he found comprehensive. The Selectboard asked Whitesell to pursue it. Whitesell also reported that one of the police vehicles had hit a bear along Route 30 near Snow Valley Road; VLCT insurance would cover the cost of the damage less the \$500 deductible.

4) Lastly Whitesell and the SB discussed the Winhall Campgrounds Contract. Whitesell reported the WPD had already started to patrol the area. Before signing the contract, the Selectboard asked Whitesell to add the cost of court time hours to the contract.

**HIGHWAY & ROADS REPORT:**

The Selectboard approved and signed an Overweight Permit for Wilk Paving, Inc. They also discussed beaver control. After reviewing Bob Barker's request to be paid hourly rather than yearly, Pinto made the motion to pay Barker \$25 per hour as requested for beaver removal; Barker would give highway foreman Randy Kimball a statement per occurrence. Seconded by Ameden; unanimous. Barker would be paid at the end of each month; Kimball would request his services and supervise the work; Barker would provide the Selectboard with a copy of his liability insurance.

**TOWN TRANSFER STATION REPORT:**

1) The Town Administrator reported the Town had received checks in the amount of \$113.75 and \$208.12 for Advanced Recycling re: used metal market. The Selectboard and McCarthy also discussed Hazardous Waste Day scheduled for November 9<sup>th</sup> in Whitingham; McCarthy reported he was in contact with the Windham Solid Waste District to see if they could schedule a Hazardous Waste Day in Winhall.

Next Jason Berube (Transfer Station attendant) came before the Selectboard to discuss closing the Transfer Station on Holidays. He commented that other Transfer Stations did close on Holidays, and he felt the Transfer Station was slow on those days anyway. Berube stated he would prefer to take Holidays off like other Town employees, not receive double time, and be covered by a part-time. The SB would get back to Berube.

**STEVE OVENDEN (WRC) ROUTE 30 CALMING PROJECT:**

Next Steve Ovenden from the Windham Region Transportation Committee came before the Selectboard to talk about highway funding opportunities for Winhall. He asked the SB to come up with a list of the Town's top ten (10) project needs. He commented the French Hollow Road project had fallen into the category of needed transportation improvements. He also mentioned the undersized culvert which needed to be replaced at the junction of Routes 11 and 30. Ovenden stated both State highway and Town roads qualified for funding. Earlier, Abel and Ovenden had inspected Lower Taylor Hill Road as a likely Winhall transportation project that would potentially qualify for funding.

Next Ovenden and the SB discussed the Route 30 Calming project; Ovenden stated Stratton Corporation was willing to participate in the project and would contribute \$18,000 to Winhall. Ovenden reported the State had approved the signage and striping for all four (4) towns along the Route 30 corridor; he suggested Stratton pay for the dynamic striping in Winhall once the copywrite design issues had been resolved. Abel stated he felt the State should pay for the signs and striping in all four (4) towns. In addition to the signs and striping, Abel had suggested lighting throughout the Village and a crosswalk between the Bondville Post Office and the Winhall Market. The ADA would have to conduct a study first to see if a crosswalk were warranted in that location; it would have to be handicap accessible as well. McCarthy reported he had filed the Town's intention re: Vtrans' 2005 Enhancement Grant(s) for the following year; Ovenden also talked about the Better Back Roads Grant (\$4,000-\$6,000) available for small projects like erosion control. The Selectboard thanked Ovenden for his presentation.

**MUNICIPAL BUILDING(S) REPORT:**

(No Report)

**NEW BUSINESS:**

Next the Town Administrator submitted an Alcoholic Beverage Restriction Ordinance from the VLCT for the Selectboard to review and act on at the next Selectboard meeting on June 16<sup>th</sup>. In addition, the Town Clerk had submitted a list of unregistered dogs to the Selectboard; twenty-two (22) dogs were still unlicensed in Winhall. After discussion, Pinto made the

Selectboard- May 19, 2004- page 4

motion to pass on the unlicensed dog list to Chief Whitesell who would then pass the list on to the dog warden for enforcement. Seconded by Weaver; unanimous.

**ADMINISTRATIVE BUSINESS:**

Next the Town Administrator, Town Treasurer, and Selectboard discussed the proposal from Southern Vermont Computer for a new computer and two (2) hard drives for the Town Treasurer. The Selectboard asked Coleman to compare Southern Vermont Computer with Dell before making a final decision. McCarthy and Coleman would stay in contact re: the above.

**ANNOUNCEMENTS & CORRESPONDENCE:**

Announcements and correspondence included amendments to the State Statutes governing local zoning; Brattleboro Development Credit Corporation's 50<sup>th</sup> anniversary on June 24<sup>th</sup>; and the Town Green Newsletter of Vermont re: urban & community forestry program.

**EXECUTIVE SESSION:**

At 9:10 PM the Selectboard voted to go into executive session re: personnel policies, rules & contracts. Motion by Pinto; seconded by Ameden; unanimous. At 10:00 PM the Selectboard voted to come out of executive session; motion by Weaver; seconded by Ameden; unanimous.

As there was no other business, the meeting was adjourned at 10:05 PM. Motion by Weaver; seconded by Ameden; unanimous.

**Next Meeting: Wednesday, June 16, 2004 at 6:00 PM.**

*Lucia Wing*  
Lucia Wing, Secretary  
Winhall Selectboard

*Frank R. Pinto*  
FRANK PINTO, CHAIR

*Randy A. Ameden*  
RANDY A. AMEDEN

*Rudolph D. Weaver*  
RUDOLPH D. WEAVER

TOWN CLERK'S OFFICE  
WINHALL, VT  
**RECEIVED**

Date: *June 28, 2004* at *1:00 PM*  
Recorded-Book # *SB* Page #  
Attest: *Elyse O. Scato*

TOWN CLERK

**MUNICIPAL SERVICES AGREEMENT**  
**BETWEEN STRATTON CORPORATION AND**  
**THE TOWN OF WINHALL, VERMONT**

AUGUST R 0

AGREEMENT made this 2<sup>ND</sup> day of ~~July~~, 2000, by and between the TOWN OF WINHALL, a Vermont municipal corporation, hereinafter called WINHALL, and THE STRATTON CORPORATION, a Vermont corporation with its principal place of business at Stratton, in the County of Windham and State of Vermont, hereinafter called CORPORATION.

WITNESSETH:

WHEREAS, CORPORATION is the developer and operator of a resort property, including ski lifts and trails, a golf course, various sports and recreational facilities and a commercial and residential community, all within WINHALL and the adjacent Town of Stratton; and

WHEREAS, CORPORATION has applied, is applying, for state and local permits for a master plan to develop and construct residential, commercial and recreational improvements to the resort within WINHALL and the adjacent Town of Stratton, on said application being Vermont Master Plan Act 250 Permit Application #2W0519-10 and CORPORATION may from time to time seek to amend the master plan, all within the boundaries of the Winhall-Stratton Fire District #1; and

WHEREAS, WINHALL has adopted a Sewage Disposal Capacity Allocation Ordinance, dated January 17, 1991, (the "Ordinance") which sets out the procedures which will control the provision of sewer and water services to property within the Winhall-Stratton Fire District #1; and

WHEREAS, CORPORATION desires WINHALL's support and cooperation throughout all stages of the various permitting processes for its Master Plan development; and

WHEREAS, WINHALL desires to maintain the economic health and well-being of its community and the long term viability of CORPORATION as a major employer of WINHALL residents and residents in the region.

NOW, THEREFORE, in consideration of these presents and of the promises contained herein, it is agreed as follows:

A. CORPORATION agrees:

1.0 To accept the Ordinance as the basic document governing the allocation of District sewage disposal capacity, which Ordinance is incorporated herein by reference, and to abide by the terms of such Ordinance and the regulations issued thereunder unless expressly waived herein.

2.0 To comply with all applicable state and local building codes, state and local permits required and not to connect any improvement or development, or component thereof, in excess of 200 units per year without the formal and express consent of the Board of Selectmen of WINHALL consistent with the Ordinance. In all other respects the Reserve Capacity and Impact Fee Agreement, dated January 31, 1997 between the Winhall-Stratton Fire District No. 1 and The Stratton Corporation, is the basic document governing the allocation of sewage disposal and water capacity.

3.0 The parties agree that the Town of Winhall Solid Waste Transfer Station is solely for solid waste generated within Winhall. CORPORATION shall be responsible to assure that solid waste generated by any of CORPORATION'S developments or commercial buildings is not disposed of at the Town of Winhall Solid Waste Transfer Station. To this end, CORPORATION agrees to educate and provide notice to cleaning agencies that any solid waste collected as part of private cleaning shall be disposed of by CORPORATION'S services and no such solid waste shall be deposited to the Town of Winhall Solid Waste Transfer Station.



4.0 To provide maintenance by means of plowing, salting, roadside mowing, shoulder maintenance and sanding Stratton Mountain Road from its intersection with Route 30 in Bondville Village to the Winhall/Stratton town line. CORPORATION shall install and maintain appropriate guardrails, lighting and traffic signage as may be mutually agreed with WINHALL.

4.1. WINHALL shall cause to be paved Stratton Mountain Road for a distance of 3.6 miles from its intersection with Vermont Route 30 to the Stratton town line. CORPORATION shall reimburse WINHALL for one-half the cost thereof each time paving is deemed necessary by mutual agreement of WINHALL and CORPORATION.

4.2. WINHALL and CORPORATION shall meet at least once per year regarding the annual upkeep of the access road. All upkeep and repairs, other than as set forth in 4.0 and 4.1 above, shall be mutually agreed upon, and all costs shall be shared between WINHALL and CORPORATION on a 50/50 basis.

4.3. CORPORATION shall not petition nor otherwise request the dedication or turning over of CORPORATION'S private development roads to WINHALL.

5.0 CORPORATION shall provide:

(a) Improvements to Stratton Mountain Access Road as follows:

(i) Phase 1: A climbing lane approximately 1,800 feet in length, extending from the existing Pond View Road climbing lane, uphill on Stratton Mountain Road to its intersection with service road to Intervale Water System;

Phase 1 improvements shall be completed upon completion of construction of the next development project by CORPORATION (next development project is defined as the first project following issuances of an acceptable master Plan Act 250 permit, without appeals, with all requisite sewer plant and water capacity).

(ii) Phase 2: An extension of the existing third turning lane on Stratton Mountain Road from its intersection with Route 30 in Bondville to a point 674 feet uphill. Phase 2 improvements shall be completed upon completion of construction of the 343<sup>rd</sup> unit within the Master Plan development (for the purpose of this calculation the parties acknowledge there are currently 210 units sold or under construction as of the date of this agreement and include SnowBridge, Long Trail North, Long Trail South and Stratton Springs).

(iii) Phase 3: A climbing lane approximately 670 feet in length below Birch Hill Road, ending beyond Birch Hill Road to ensure adequate and safe sight distances where the climbing lane ends. Phase 3 improvements shall be completed upon completion of construction of the 500<sup>th</sup> unit within the Master Plan development as calculated above.

(iv) All construction shall be approved by the Winhall Town Engineer and shall be paid for by CORPORATION.

(b) To arrange for, have completed, and pay for a traffic and intersection improvement study which shall be completed by June 30, 2001 and shall include recommendations on the feasibility of improvements and/or relocation of the access road with its intersection with Route 30. WINHALL and CORPORATION agree to implement the most feasible and agreed upon improvements resulting from the aforementioned study. CORPORATION shall cause such improvements to be constructed on or before September 30, 2004. The cost of said improvements shall be borne equally by WINHALL and CORPORATION after any State contribution to the project is deducted from the overall cost of said improvements. RD

6.0 This entire agreement is contingent upon implementation of an annual Sewer Allocation And Capacity Charge by the Winhall/Stratton Fire District #1 to be paid to WINHALL

in the amount of \$55.75, together with annual inflation escalators not to exceed 2.4%, for each Master Plan bedroom constructed and sold after the date of this agreement. The parties acknowledge that the Sewer Allocation And Capacity Charge shall be funded through a special limited benefit assessment levied and collected by the Winhall/Stratton Fire District #1 on each Master Plan bedroom constructed and sold after the date of this agreement.

6.01 In addition, CORPORATION shall make a contribution to WINHALL'S recreation committee in the amount of \$25,000 on or before June 30<sup>th</sup> 2000.

6.02 CORPORATION shall pay to WINHALL the sum of \$50,000 within 30 days of the signing of this agreement.

7.0 To adhere to a policy of balanced growth within the resort with the objective of ensuring that recreational opportunities existing as of this date are improved and expanded in the future in a manner that to the fullest extent possible continues to improve the resort experience, a policy which WINHALL hereby agrees to support.

8.0 To reimburse WINHALL for legal fees, expenses and cost incurred in the consideration and adoption of this Agreement, to a maximum amount of \$10,000.00.

9.0 To cause to be reserved 20,000 gallons per day of sewage treatment capacity for such lawful purposes as the WINHALL Selectmen shall direct. The capacity reservation specified herein may be sold or transferred by the Board of Selectmen of WINHALL as may be necessary to alleviate or abate sewage disposal deficiencies within WINHALL, hookup or connection fees paid in the event of the sale of such capacity shall be for the account of the District.

10.1 CORPORATION agrees that in order to avoid unreasonable harm as defined by 10 V.S.A. § 1410(c) to the groundwater of WINHALL landowners, it will withdraw water from wells located in WINHALL sequentially with wells located in the town of Stratton. All parties to this agreement recognize that water from wells located in the WINHALL will be required to meet the

domestic water needs of the CORPORATION'S Master Plan development and nothing in this paragraph or agreement is intended to preempt state regulatory authority.

10.2. Any excess capacity from wells within the Public/Community Wellhead Protection Area in the Town of WINHALL (also known as Mahoney Hunter parcel) beyond Master Plan build out, shall be available to the Town of WINHALL for future water needs.

10.3 To use any water withdrawn from wells located in WINHALL only for domestic water supply and not for snowmaking purposes.

10.4. To provide all public logs concerning water usage from wells in the Town of Stratton and WINHALL and to provide such data to WINHALL at least semi-annually.

10.5. To pay for the construction of any water pipeline(s) serving CORPORATION from WINHALL.

11.0 To name WINHALL as a named insured on its general liability insurance policy in an amount no less than \$40,000,000.00 in so far as it relates to the snow making pond. CORPORATION shall make every effort to provide for the recreational use of the snowmaking pond for the public.

B. WINHALL agrees:

1. That an Indirect Discharge Permit and Act 250 Permit with respect to the Expanded System shall provide all of the necessary evidence to determine under the Ordinance that there is sufficient Uncommitted Reserve Capacity to accommodate the volume and strength of the proposed connections required to serve the units and facilities included within CORPORATION'S, developments and projects and other existing sewered and unsewered units and facilities located within the boundaries of the District.

2. That a rate of building 200 units per year is an acceptable rate of growth and that it will reserve the right to review and approve all sewage disposal and water capacity allocation under

the Town's Ordinance in excess of 200 units per year.

C. WINHALL and CORPORATION agree that:

1. Residential units within Birch Hill shall be given priority entitlement to connect to the Expanded System in accordance with the Agreement between CORPORATION and Birch Hill dated June 6, 1989, which Agreement is incorporated herein by reference.

2. For purposes of the Ordinance, each residential unit shall be deemed to be the equivalent of the number of gallons of discharge capacity specified for such unit by the Regulations of the Department of Environmental Conservation prevailing at the time of the determination.

3. This Agreement, and the specific terms hereof, shall be included as conditions in any Land Use Permit issued for any of the improvements or development contemplated herein.

4. This Agreement, and the full and timely performance thereof by the CORPORATION, is in lieu of any impact fee.

5. This Agreement shall be binding upon the parties hereto and their respective successors and assigns; provided, however, that the benefits hereunder shall not be assignable by CORPORATION except as an appurtenance to real property located within Winhall-Stratton Fire District #1. A true and attested copy of these presents shall be recorded in the Land Records of Winhall and the Town of Stratton so as to impart notice hereof upon all persons owning or having an interest in the real property affected hereby.

6. Nothing herein shall be construed to limit or inhibit WINHALL or the officers thereof in abating any condition deemed to be prejudicial to the public safety, health or welfare, nor to restrict WINHALL or the officers thereof in the discharge of any responsibility imposed by law.

7. The invalidity of any provision of this Agreement shall not invalidate any other part thereof.

8. This Agreement is not contingent upon CORPORATION obtaining a permit for

its Master Plan, except as otherwise set forth herein. The terms and conditions herein are enforceable whether or not the Master Plan is approved.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals this day first above written.

TOWN OF WINHALL

Frank R. Pinto  
Witness  
FRANK R. PINTO 8/2/00

By: Robert G. Oakes  
Chairman, Board of Selectmen  
ROBERT G. OAKES

THE STRATTON CORPORATION

Louis A. Costanzo  
Witness  
LOUIS A. COSTANZO 8/2/2000

By: Justin W. Smart 8/4/00  
Its Duly Authorized Officer  
JUSTIN W. SMART, VICE PRESIDENT

**Town of Winhall Select Board Meeting  
June 16, 2004  
Agenda**

**Call To Order:**

**Meeting begins at 6:00 PM and adjourns at approximately 9:00 PM**  
**Approval of Minutes: from June 2, 2004**  
**Review Bills/Sign Orders**

**Public Comments**

**DEPARTMENT REPORTS**

**Police/Rescue**

**Buildings/Maintenance**  
Monthly Report

**Roads**

Randy Kimball, Highway Foreman  
    Sign Grader Loan Application  
    Access Permit-M&S Dziuba, 136 North Branch Road  
    Access Permit-Raymond Gutfroff-Upper Stratton Valley  
Access Permit-Thomas McMahon, West Hill Road  
    Highway Access Permit-State-R. & L. Franks, VT RT30 four lot subdivision  
    Overweight Permits: Bradford's Trucking, Inc. – Russell A. Brooks – Howard A.  
    Stickney III – Ethier Trucking

**GASB 34**

Charles Edson, P.E. from Greenman-Pedersen, Inc. - what Winhall needs to do to comply with GASB 34.

**Transfer Station**

WSWMD-Regulated Waste

**Old/Unfinished Business**

V Trans 2005 Enhancements Grants – Route 30 Calming  
Alcoholic Beverage Restriction Ordinance

**New Business**

Computer for Town Treasurer Kate Coleman  
    NEMRC accounting software  
    Mountain School Copier review bids

**Administrative**

Letter to Town Resident  
    Town Advertisements  
    Alcohol Agreement for review  
    Vacation Requests

**Announcements/Correspondence:**

    Guideline for Implementating ACT 68  
    Opinions-Secretary of State  
    Stark Farm Properties-Permit #3-9010 discharge stormwater runoff  
    Wastewater System and Potable Water Supply Permit-B. Zeisler  
Winhall Board of Civil Authority Meeting June 21, 2004  
    Stratton Corporation, renovate and expand units at Mountain Reach Act 250 Permit

**Executive Session:**

Personnel Policies, Rules, and Contracts  
It is assumed that the Selectboard will move to go into executive session

**Adjourn**

**Next Meeting: July 7, 2004 at 6:00 PM**

## **TOWN OF WINHALL SELECTBOARD**

Meeting Minutes for Wednesday, June 16, 2004

---

**PRESENT:** Frank Pinto, Chair; Randy Ameden, Rudy Weaver, Randy Kimball (WHD), Lucia Wing, Secretary, Dennis McCarthy, Town Administrator

**ABSENT:** Jeff Whitesell (WPD)

**IN ATTENDANCE:** George Abel, Ed Molinelli, Charles Edson (Greenman-Pedersen, Inc.)

### **CALL TO ORDER:**

Pinto called the meeting to order at 6:00 PM at the Town Hall.

### **PAY ORDERS:**

After review Pinto made the motion to approve pay order(s) #72, 73, 74; seconded by Weaver; unanimous.

### **MINUTES OF PAST MEETING(S):**

After review, Ameden made the motion to approve the meeting minutes June 2, 2004 as amended; seconded by Weaver; unanimous.

**PUBLIC COMMENT(S):** (None)

### **PUBLIC SAFETY (POLICE/FIRE/RESCUE) REPORT:**

The Selectboard discussed the activities report submitted by Chief Whitesell who was unable to attend the meeting. The report included the May monthly police report including traffic tickets and warnings, law incidents re: both Stratton and Winhall, and agency assists outside of Winhall. In addition, Whitesell reported he had given the Animal Control Officer the list of unregistered dogs; one of the police vehicles needed minor body damage repair as a result of being backed into a Casella dumpster that was sticking out in the driveway area; and Intrepid damage was set at \$2,403.75 as a result of hitting a bear. The Chief had also forwarded copies of performance evaluations for all police and rescue employees. The Chief also had submitted a letter from Gertrude Thielking thanking the WPD for their quick response and compassionate approach to her call for help when



her husband had suffered a fatal heart attack. In addition, Whitesell had reported that he and Kate Coleman had met to discuss the bill payment system.

**HIGHWAY & ROADS REPORT:**

1) The Selectboard approved and signed Overweight Permit(s) for Bradford's Trucking, Inc., Russell A. Brooks, Howard A. Stickney III, and Ethier Trucking. They approved and signed Access Permit(s) for M&S Dziuba (136 North Branch Road); Raymond Guttroff (Upper Stratton Valley); and Thomas McMahon (West Hill Road).

2) After review, Pinto made the motion to approve the Town's loan application with Charter I Bank to refinance the Town grader for \$90,000 @ 1.83%. Seconded by Weaver; unanimous. Next the Selectboard reviewed and approved vacation requests for Jason Berube, Randy Kimball, and Ed Magoon.

**TOWN TRANSFER STATION REPORT:**

Jason Berube (Transfer Station attendant) did plan to attend the Windham Solid Waste Management District's regulated waste program.

**MUNICIPAL BUILDING(S) REPORT:**

(No Report)

**CHARLES EDSON: GASB 34 PRESENTATION:**

Charles Edson (P.E. Greenman-Pedersen, Inc.) came before the Selectboard to present information re: GASB 34 (Government Accounting Standards Board) organized in 1984 by the Financial Accounting Foundation to establish standards of financial accounting and reporting for State and local government entities. Edson explained that municipalities following GASB standards obtained 1) clean opinions from auditors and 2) good ratings from Bonding Companies. His presentation included identifying, quantifying, and determining the condition of all Town owned assets which should be included in the GASB inventory for example Town buildings, roads, bridges, equipment, culverts, vehicles, etc; different approaches to GASB asset expensing, the traditional depreciation approach or the modified approach; budgeting and financial reports; GASB implementation dates;

and presenting the above information in the annual report at Town Meeting. The Selectboard had determined they would only include inventory over \$10,000. McCarthy had put together and submitted to the Selectboard an inventory report for all the municipal buildings. After further questions about GASB, the Selectboard thanked Edson for his presentation.

**OLD-UNFINISHED BUSINESS:**

1) George Abel reported that Lower Taylor Hill would most likely qualify for grant money re: Vtrans 2005 Enhancement Grants. Abel would make a presentation to Steve Ovenden (WRC) at the next Route 30 Calming project meeting; in the meantime, the Town Administrator would contact Paul Carroccio who had done some prior engineering work relative to Lower Taylor Hill.

2) Next the Selectboard reviewed the proposed Alcoholic Beverage Ordinance. After discussion, the SB agreed to add fees and deposits to the Ordinance. They would wait until the next meeting to make a final decision and give Nancy Oakes, who was on vacation, a chance to review the Ordinance as well.

**NEW BUSINESS:**

1) After comparing Dell Computer's proposal and Southern Vermont Computer's proposal re: computer purchase for Town Treasurer Kate Coleman, Pinto made the motion to purchase the new computer from Southern Vermont Computer for \$2,205.00. Seconded by Weaver; unanimous. The Town Administrator would order the computer for the Town Treasurer.

2) After comparing Central Business Equipment's proposal and Green Mountain Office Machine's proposal re: new copier for the Mountain School, Weaver made the motion to lease Central Business Equipment's copier for three (3) years at a cost of \$9,504.00 for (36) months plus .006 per copy over 110,000 copies per year or over 330,000 copies per three years. Seconded by Ameden; unanimous.

**ADMINISTRATIVE BUSINESS:**

The Selectboard approved of a letter from the Town of Winhall to Joyce Ameden thanking her for her years of dedication as chairperson of the Beautification Committee. The Town Administrator and the Selectboard agreed to run an ad in the Manchester Journal and News Guide to sell a Town truck, hire part-time employees for the Transfer Station, and look for individuals who would be interested in serving on a cemetery committee.

**ANNOUNCEMENTS & CORRESPONDENCE:**


Announcements and correspondence included a guideline for implementing Act 68; Secretary of State opinions; a discharge stormwater runoff permit for Stark Farm; a wastewater permit for B. Zeisler; Winhall Board of Civil Authority meeting June 21<sup>st</sup>; and Act 250 permit for Stratton to renovate and expand units at Mountain Reach.


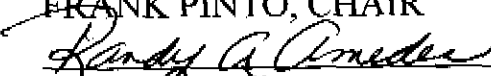
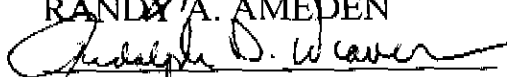
**EXECUTIVE SESSION:**

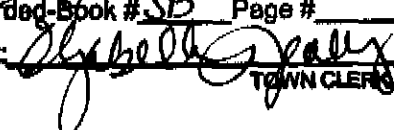
At 8:45 PM the Selectboard voted to go into executive session re: personnel policies, rules & contracts. Motion by Pinto; seconded by Ameden; unanimous. At 10:00 PM the Selectboard voted to come out of executive session; motion by Weaver; seconded by Ameden; unanimous.

As there was no other business, the meeting was adjourned at 10:05 PM. Motion by Weaver; seconded by Ameden; unanimous.

**Next Meeting: Wednesday, July 7, 2004 at 6:00 PM.**

  
Lucia Wing, Secretary  
Winhall Selectboard

  
FRANK PINTO, CHAIR  
  
RANDY A. AMEDEN  
  
RUDOLPH D. WEAVER

TOWN CLERK'S OFFICE  
WINHALL, VT  
**RECEIVED**  
Date: July 12, 2004 at 3:54 PM  
Recorded-Book # SB Page #       
Attest:   
TOWN CLERK

**Town of Winhall Select Board Meeting  
July 7, 2004  
Agenda**

5:00 PM Meeting at The Mountain School Recreation Field, discuss irrigation of field.

**Call To Order:**

**Meeting begins at 6:00 PM and adjourns at approximately 9:00 PM**

**Approval of Minutes: from June 6, 2004**

**Review Bills/Sign Orders**

**Public Comments**

**DEPARTMENT REPORTS**

**Police/Rescue**

Chief Whitesell's monthly Department report

**Buildings/Maintenance**

**Roads**

Randy Kimball, Highway Foreman

Overweight Permit – CSE Inc. – Steve Rogers Trucking

Access Permits – Piazza, #87 Benson Fuller Road – Cyr, #14 Stocker Acres-  
Verciari, Lot 43 Todd Hill Road

**Transfer Station**

Used metal market – Funds received from Advanced Recycling - \$103.75 May 2004

**Old/Unfinished Business**

Information on enhancement grant application for pedestrian lighting and entrance signs in the Village of Bondville on Route 30 (Winhall Hollow Road to the end of the existing sidewalk)

**New Business**

**Administrative**

Set Tax Rate for 2004-2005

Sign Mountain School Copier Agreement with Central Business Equipment Inc .

**Announcements/Correspondence:**

2004 Town Fair & Field Day September 29 and September 30, 2004

VLCT June 2004 News Letter

Stratton SWQRP Progress Meeting

Intrawest Stratton Development Corp. June 23, 2004 letter

Letter Woolmington to Huessy – Aspen Lane

Letter Department of Education on Obesity, Physical Activity, and Nutrition

William E. Johnson, Director, PVR – booklet on "Implementing Act 68"

**Executive Session:**

Personnel Contracts

It is assumed that the Selectboard will move to go into executive session

**Adjourn**

**Next Meeting: July 21, 2004 at 6:00 PM**

TOWN OF WINHALL, VERMONT

SETTING THE TAX RATE FOR 2004-2005

July 7, 2004

2004/2005 TOWN TAX RATE COMPUTATIONS

2004/2005 AMOUNT TO BE RAISED BY TAXES FROM 2004/2005 PRINTED  
BUDGET

\$1,306,685.00

TOWN OF WINHALL GRAND LIST FOR 2004 MAIN DISTRICT

\$4,710,055.80

Divide amount to be raised by taxes (\$1,306,685.00) by Winhall's 2004 Grand List  
(\$4,710,055.80) = \$0.2775. \$0.2775 will raise \$1,307,040.00 in taxes. \$355.00 more  
than the \$1,306,685.00 needed in taxes.

**The 2004/2005 Town Tax Rate is \$0.2775**

The 2003/2004 Town Tax Rate was \$0.2.95

The 2002/2003 Town Tax Rate was \$0.33

TOWN OF WINHALL EDUCATION TAX RATE FOR 2004/2005 CALCULATED BY  
THE VERMONT COMMISSIONER OF TAXES, MR. TOM PELHAM, (802) 828-5860

HOMESTEAD TAX RATE

Base Homestead Tax Rate: \$1.05  
District Spending Adjustment: \$1.45900  
Common Level of Appraisal (CLA): 95.57%

**The 2004/2005 Homestead Tax Rate to be assessed: \$1.6029**

**The 2004/2005 Combined Town Tax Rate and Homestead Tax Rate to  
be Assessed: \$1.8804**

NON-RESIDENTIAL TAX RATE


Base Non-Residential Tax Rate: \$1.54  
Common Level of Appraisal (CLA): 95.57%

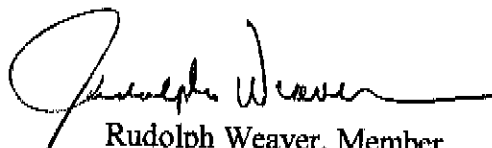
**The 2004/2005 Non Residential Tax Rate to be assessed: \$1.6114**

**The 2004/2005 Combined Town Tax Rate and Non-Residential Tax  
Rate to be Assessed: \$1.8889**

The calculations on the first page of this two page document are hereby accepted by the Town of Winhall Board of Selectmen.

  
Frank Pinto, Chair

  
Randy Ameden, Vice Chair

  
Rudolph Weaver, Member

TOWN CLERK'S OFFICE  
WINHALL, VT

RECEIVED

Date: July 12, 2004 at 9:00 AM  
Recorded-Book # 50 Page #       
Attest: Elizabeth Grady  
TOWN CLERK

Prepared by Dennis C. McCarthy, Town Administrator  
July 7, 2004

**Town of Winhall Select Board Meeting**  
**July 7, 2004**  
**Agenda**

5:00 PM Meeting at The Mountain School Recreation Field, discuss irrigation of field.

**Call To Order:**

**Meeting begins at 6:00 PM and adjourns at approximately 9:00 PM**

**Approval of Minutes: from June 6, 2004**

**Review Bills/Sign Orders**

**Public Comments**

**DEPARTMENT REPORTS**

**Police/Rescue**

Chief Whitesell's monthly Department report

**Buildings/Maintenance**

**Roads**

Randy Kimball, Highway Foreman

Overweight Permit – CSE Inc. – Steve Rogers Trucking

Access Permits – Piazza, #87 Benson Fuller Road – Cyr, #14 Stocker Acres-  
Verciari, Lot 43 Todd Hill Road

**Transfer Station**

Used metal market – Funds received from Advanced Recycling - \$103.75 May 2004

**Old/Unfinished Business**

Information on enhancement grant application for pedestrian lighting and entrance signs in the Village of Bondville on Route 30 (Winhall Hollow Road to the end of the existing sidewalk)

**New Business**

**Administrative**

Set Tax Rate for 2004-2005

Sign Mountain School Copier Agreement with Central Business Equipment Inc .

**Announcements/Correspondence:**

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VLCT June 2004 News Letter

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Letter Woolmington to Huessy – Aspen Lane

Letter Department of Education on Obesity, Physical Activity, and Nutrition

William E. Johnson, Director, PVR – booklet on "Implementing Act 68"

**Executive Session:**

Personnel Contracts

It is assumed that the Selectboard will move to go into executive session

**Adjourn**

**Next Meeting: July 21, 2004 at 6:00 PM**

## **TOWN OF WINHALL SELECTBOARD**

Meeting Minutes for Wednesday, July 7, 2004

---

**PRESENT:** Frank Pinto, Chair; Randy Ameden, Rudy Weaver, Randy Kimball (WHD), Jeff Whitesell (WPD), Lucia Wing, Secretary, Dennis McCarthy, Town Administrator

**ABSENT:** None

**IN ATTENDANCE:** George Abel, Ed Molinelli, Elizabeth Jenks, Scott Bushee, Dave Simonetti, Kate Coleman, Nancy Oakes, Andy Crichton, Sonia Meyer, Sheila Coleman.

### **COMMUNITY CENTER/SCHOOL RECREATION FIELD**

#### **MEETING @ 5:00 PM:**

A meeting was held at the recreation field at the Community Center/School to discuss the condition of the playing fields. Present at the meeting were Frank Pinto, Randy Ameden, Rudy Weaver, Nancy Oakes, and Dennis McCarthy, Town Administrator. After discussion, the SB decided to investigate alternatives to irrigating the fields. Ameden would bring a video (provided by Nancy Oakes) about automatic irrigating machines to the next Selectboard meeting for everyone to review. The meeting was adjourned at 5:45 PM.

#### **CALL TO ORDER:**

Pinto called the regular meeting to order at 6:00 PM at the Town Hall.

#### **PAY ORDERS:**

After review Pinto made the motion to approve pay order(s) #75, 76, & 77, 78 & pay order #1 as presented; seconded by Weaver; unanimous.

#### **MINUTES OF PAST MEETING(S):**

After review, Ameden made the motion to approve the meeting minutes June 16, 2004 as amended; seconded by Weaver; unanimous.

#### **PUBLIC COMMENT(S):**

*Sonia Meyer and Andy Crichton* came before the Selectboard to comment on the amount of traffic and noise on Kendall Farm Road as a result of



four-wheelers and dirt bikes. Meyer commented that it was like living next to a racetrack, especially on weekends. Meyer felt the noise pollution was caused mostly by people from out-of-State. Along with several others, she felt the local residents were not the cause of the problem; they were respectful about the road and the residents who lived on it. *Scott Bushee, Elizabeth Jenks, and Dave Simonetti*, all local and all of whom used Town land, felt similarly to Meyer. When they used Town property to ride their dirt bikes, the non-residents would often be disrespectful to them. *Bushee* commented that in addition, a race course had been constructed on Town land for dirt bikes, and the land was also being used as a dump area for old TV's and refrigerators. Another question- was the Town liable if someone got hurt? A suggestion was to close the area to non-residents and leave it open to Town of Winhall residents only. Pinto would consult with the Town attorney for advice.

**PUBLIC SAFETY (POLICE/FIRE/RESCUE) REPORT:**

Chief Whitesell and the Selectboard discussed the June monthly police report (both Stratton & Winhall) which included traffic tickets and warnings, law incidents including missing materials and shooting signs on French Hollow Road, and agency assists outside of Winhall. Whitesell reported twenty (20) dogs were still unregistered, (8) owned by one individual. The SB noted false alarms were down from the previous month.

**HIGWAY & ROADS REPORT:**

1) Kimball reported that road paving on Winhall Hollow Road was in process; Ray Guttroff had offered to pay for a culvert on Upper Stratton Valley Road to divert run off.

2) The Selectboard approved and signed an Overweight Permit for CSE Inc.- Steve Rogers Trucking. They approved and signed Access Permit(s) for Piazza (#87 Benson Fuller Road); Cyr (#114 Stocker Acres; and Vergari (Lot 43 Todd Hill Road).

**TOWN TRANSFER STATION REPORT:**

The Town Administrator reported the Town had received a check in May for \$103.75 for advanced recycling re: used metal market.

**MUNICIPAL BUILDING(S) REPORT:**

Nancy Oakes reported that Sparky Electric had given her an estimate of \$1,741.90 to install additional outlets at the Transfer Station, underground wiring, and outside lighting. Before installing the above, the Town would have to get a permit from Labor & Industry. She also reported that the four (4) damaged windows in the Atrium at the school had been replaced. As they needed work, the company repairing the windows suggested the other four (4) undamaged windows in the Atrium be replaced as well for approximately \$300 per window. After further consultation with Oakes, Pinto made the motion to go ahead with the window replacement; seconded by Weaver; unanimous. Next Oakes reported she would like to attend a free course on water operation and maintenance on July 20<sup>th</sup> in Rutland; the Selectboard agreed to Oakes' request.

**OLD-UNFINISHED BUSINESS:**

Re: Route 30 Calming Project, the Town Administrator would revise the enhancement grant application to reflect the comments of the public and a letter from the Winhall Planning Commission who supported lights on the entrance signs, dynamic striping, and a crosswalk between the Post Office and the Winhall Market but did not support the addition of (26) lights in Bondville as they felt there was no nighttime pedestrian traffic to justify it. McCarthy suggested Winhall still apply for the grant to get the attention of VTrans but change the focus from lighting to a crosswalk feasibility study (approx. \$15,000) to see if one could work in Bondville. The Selectboard agreed to the idea. Stratton's contribution of \$18,000 could pay for the entrance sign lighting, dynamic striping, and a few other discriminately placed lights in Town.

**NEW BUSINESS:** (None)

**ADMINISTRATIVE BUSINESS:**

1) After review, Pinto made the motion to accept the Town of Winhall tax rate for 2004-2005 @ \$0.2775; seconded by Ameden; unanimous. (See attached for details).

2) Next the Selectboard signed the Mountain School copier agreement with Central Business Equipment, Inc.

3) After consulting with Charles Edson (Greenman-Pedersen), the Town Administrator had submitted a letter to the Selectboard who had instructed him to perform an asset inventory as to type and condition on all Town capital assets valued at \$10,000 or more re: GASB 34 (see attached letter).

**ANNOUNCEMENTS & CORRESPONDENCE:**


Announcements and correspondence included 2004 Town and Field Day, September 29<sup>th</sup> and 30<sup>th</sup>; VLCT June 2004 News Letter; Stratton SWQRP progress meeting; In strawest Stratton Development Corp.- letter; letter from Woolmington to Huessy re: Aspen Lane; letter from the State Department of Education re: obesity, physical activity, and nutrition which the Selectboard supported; and a booklet on implementing Act 68 by William E. Johnson.

**EXECUTIVE SESSION:**


At 8:30 PM the Selectboard voted to go into executive session re: personnel contracts. Motion by Pinto; seconded by Ameden; unanimous. At 8:45 PM the Selectboard voted to come out of executive session; motion by Weaver; seconded by Ameden; unanimous.

As there was no other business, the meeting was adjourned at 8:45 PM. Motion by Weaver; seconded by Ameden; unanimous.

**Next Meeting: Wednesday, July 21, 2004 at 6:00 PM.**

  
Lucia Wing, Secretary  
Winhall Selectboard

  
FRANK PINTO, CHAIR

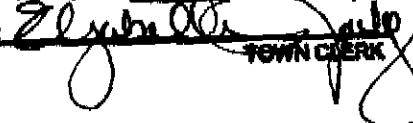
  
RANDY A. AMEDEN

  
RUDOLPH D. WEAVER

**TOWN CLERK'S OFFICE  
WINHALL, VT  
RECEIVED**

Date: July 22, 2004 at 1:00 PM

Recorded-Book # SB Page #         

Attest:   
TOWN CLERK

**Town of Winhall**  
**Administrators Office**  
PO Box 420 Bondville, VT 05340  
TEL 802-297-2119 FAX 802-297-2177

July 7, 2004

Frank Pinto, Chair  
Randy Ameden, Vice Chair  
Rudolph Weaver, Member  
Winhall Board of Selectmen  
PO Box 420  
Bondville, Vermont 05340-0420

Dear Winhall Selectboard Members,

On June 16, 2004 after consultation with Mr. Charles Edson of Greenman-Pedersen, Inc. the Board instructed me to perform an asset inventory as to type and condition on all Town capital assets valued at \$10,000.00 or more. I have completed a preliminary review of the Town's assets and find that 98% are in good to excellent condition and will cost \$1,096,534.00 (in 2004 dollars) to maintain. The remaining 2% require capital improvements and it is estimated that the cost will be \$307,029.00. It is anticipated that Federal, State and other grant/funding will be solicited to cover an estimated \$276,326.10 of the capital need.

I will continue to refine the numbers presented and to provide a list of the assets that Winhall possesses. There will be a report generated that the Selectboard will be asked to approve for publication in the 2004 Annual Town Report. It is anticipated to have this report completed and in the hands of the Selectboard by November 16, 2004.

I recommend that the Selectboard use the depreciation approach on all equipment, use the modified approach on highways, culverts, sidewalks, buildings and grounds, and to follow rating systems that apply to special assets such as bridges.

I ask that this letter be made part of the Selectboards Minutes of July 7, 2004.

I will continue to keep the Board informed on this most important subject.

Sincerely,

  
Dennis C. McCarthy  
Town Administrator

**Town of Winhall**  
**Administrators Office**  
PO Box 420 Bondville, VT 05340  
TEL 802-297-2119 FAX 802-297-2177

July 27, 2004

Mr. Ritchie Caursona  
Stratton Gardens  
PO Box 558  
Bondville, Vermont 05340-0558

Dear Mr. Caursona,

The Board of Selectmen asked me to write this letter to you and explain that they are concerned with the condition of Stratton Gardens Road. The Town's Highway Foreman has addressed this condition with you on different occasions, and as of this date the road is still in disrepair. Because of your lack of response to the Highway Foreman, the Town of Winhall will no longer authorize permits for Stratton Gardens. To rectify this situation, you must contact the Highway Foreman (802-297-2120) and repair the road following his explicate directions.

In March 2004 the Board sent you a notice about the numbering system that you are using to identify lots in Stratton Gardens. Apparently, the steps that were addressed in that letter have not been followed and there is still a problem with numbering of lots in Stratton Gardens. This must be rectified immediately. I have enclosed a copy of the letter dated March 16, 2004 and a copy of the tax map showing the lots located in your development. If you have posted numbers at the lots other than E-911 numbers that have been assigned, you must remove them. To rectify this situation, you must contact the Town's E-911 coordinator Ms. Elizabeth Jenks (802-297-2122) and follow her step-by-step directions.

Should you have any questions please contact me at (802) 297-2119 or by email at [townhall@adelphia.net](mailto:townhall@adelphia.net).

Sincerely,



Dennis C. McCarthy  
Town Administrator

Cc: Board of Selectmen  
Town Clerk  
Highway Foreman  
Planning Board  
Zoning Board

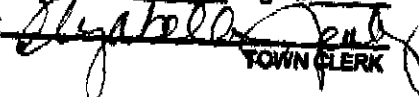
Encl: two

TOWN CLERK'S OFFICE  
WINHALL, VT

**RECEIVED**

Date: July 29 2004 at 9 am

Recorded-Book # SB Page #

Attest:   
TOWN CLERK

**Town of Winhall**  
**Administrators Office**  
PO Box 420 Bondville, VT 05340  
TEL 802-297-2119 FAX 802-297-2177

July 28, 2004

Mr. Philip Stumpf  
1391 Wild Rose Lane  
Lake Forest, IL 60045

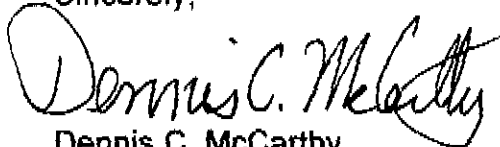
Dear Mr. Stumpf,

The Town Clerk has informed the Board of Selectmen that you are concerned with the turn around at the end of Snowflake Road. You told the Town Clerk that you believe the turn around is actually your property. After researching this issue, the Board of Selectmen concluded that the turn around in question is part of the Town's right-of-way.

Apparently your main concern with the right-of-way at the end of Snowflake Road is the issue of vehicle removal during periods of snow plowing maintenance. Should you be able to supply the Selectmen with information that would refute their research, they would reconsider their decision. If you are unable to produce such information the Selectmen will inform the Highway Department to carry out the same procedures as last year. Should you have information to refute the Board's research please forward it to: Dennis C. McCarthy, Town Administrator, PO Box 420, Bondville, Vermont 05340.

The Town Clerk asked me to inform you that lots #38.1 and #41 have been joined as one parcel on your tax assessment cards. I have enclosed copies of your tax cards for your review. Should you have any questions about your tax cards please contact the Lister's office at 802 297 2151.

Sincerely,



Dennis C. McCarthy  
Town Administrator

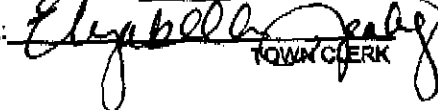
Cc: Board of Selectmen  
Town Clerk  
Board of Lister's  
Highway Foreman

Encl: four

**TOWN CLERK'S OFFICE**  
WINHALL, VT  
**RECEIVED**

Date: July 29, 2004 at 9:am

Recorded-Book # SB Page #

Attest:   
TOWN CLERK

**Town of Winhall Select Board Meeting  
July 21, 2004  
Agenda**

**5:00 PM Onsite Meeting at Aspen Lane Lot #31, Board of Selectmen will inspect the subject highway.**

**Call To Order:**

**6:00-6:30 PM – Discontinuance Hearing on a portion of Aspen Lane Lot #31.**

**The Board of Selectmen will take testimony as to whether the public good, necessity and convenience of the inhabitants of the Town of Winhall require the subject highway portion to be expanded. The Selectboard may, as a result of the public hearing, take such action as they judge appropriate for the public good, necessity and convenience.**

**Regular Selectmen's Meeting will begin at 6:30 PM and adjourns at approximately 8:30 PM**

**Approval of Minutes: from July 7, 2004  
Review Bills/Sign Orders**

**Public Comments**

**DEPARTMENT REPORTS**

**Police/Rescue**

Remaining Detail by Owner for All Untagged Canine in Winhall

**Buildings/Maintenance**

Nancy Oakes – Monthly Report

**Roads**

Randy Kimball, Highway Foreman

Stratton Gardens

Wilk Paving

Snowflake Lane Turn Around

**Transfer Station**

Used metal market – Funds Owed to Advanced Recycling – \$97.76 June 2004

Interviews of Applicants for Part-Time Position – When and Where?

**Old/Unfinished Business**

Information on enhancement grant application for pedestrian/bicycle sidewalk, crosswalks, signage, beautification in the Village of Bondville on Route 30 (Winhall Hollow Road to the end of the existing sidewalk)

ATV use of Town Owned Property

MSA Discussion J. Justin Sluka comments

**New Business**

**Administrative**

Comp-Time Records

**Announcements/Correspondence:**

Bromley Mt. Act 250 Land Use Permit

Green Mountain National Forest Manchester and Rochester District Reports

July 2004 Opinions Office of Secretary of State Deborah L. Markowitz

Haskins Gas Service, Inc. Pre-buy Price

Intrawest Stratton Development move curb-cut Middle Ridge Road to serve Bldg. C5-C6

Stratton/Vantage Point Stormwater Treatment Certification

Skylight Lodge subdivision of 37 acre parcel

**Executive Session:**

Personnel Contracts

It is assumed that the Selectboard will move to go into executive session

**Adjourn**

**Next Meeting: August 4, 2004 at 6:00 PM**

**TOWN OF WINHALL SELECTBOARD**  
Minutes from the inspection of Aspen Lane, July 21, 2004 at 5:00 PM

---

**PRESENT:** Homeowner Ms. Mary Beth Lane, Chair Frank Pinto,  
Vice Chair Randy Ameden, Town Administrator Dennis C. McCarthy

Mr. Pinto and Mr. Ameden representing the Board of Selectmen and the Town of Winhall reviewed the plot map for Lot #31, prepared by Sitelines, 896 Route 30, Dorset, Vermont 05251. Mr. Pinto and Mr. Ameden also observed the 30' easement area that is proposed. This easement area will allow Ms. Lane permanent access to her property.

Ms. Lane explained to Mr. Pinto and Mr. Ameden where the corner markers are located. When asked by Mr. Pinto if she was satisfied with the survey and the proposed solution to this matter, she responded that she had absolute confidence in Sitelines and agreed with the proposal.

Ms. Lane did mention that her mortgage company had questions and that they had not been notified. The Town Administrator stated that he had researched the Town records and found that Mortgage Electronic Registration System, Inc. of Flint, Michigan 48501-2026 was the holder of record. Ms. Lane informed the Town Administrator that Central Mortgage, Attn: Jan Davis, 1501 South Main Street, Little Rock, AR 72202, 800 366 2132 X 7126 was now the mortgage holder and Ms. Davis had some questions about the proposed agreement. The Town Administrator told Ms. Lane that he would check once again and determine the status of the mortgage companies.

Being, as there were no other interested parties present at the inspection Mr. Pinto and Mr. Ameden left Aspen Lane for the Town Offices located at 3 River Road, Bondville, Vermont.

**TOWN OF WINHALL SELECTBOARD**  
Minutes from Public Hearing on Aspen Lane, July 21, 2004 at 6:00 PM

---

**PRESENT:** Chair Frank Pinto, Vice Chair Randy Ameden, Member Rudy Weaver, Town Administrator Dennis C. McCarthy.

Chair Frank Pinto called the Public Hearing on Aspen Lane to order. The Board of Selectmen waited for thirty minutes, and with no interested parties appearing before them, Vice Chair Ameden moved to close the Public Hearing on Aspen Lane, Member Weaver seconded the motion, all in favor, motion approved unanimously. The Board will issue their finding by August 22, 2004.



**Public Notice**  
**Petition to Establish a New Section of Town Highway**

By motion adopted at its meeting held on May 19, 2004, the Selectboard of the Town of Winhall has initiated proceedings pursuant to Vermont Stat. Ann. tit. 19, ' 708 *et seq.* to consider whether a section of Aspen Lane, Town Highway #29 should be expanded to include a small area of Lot #31 of the Stratton Valley Development, currently owned by Mary Beth Lane. In connection with the acquisition of the section for highway, the Town would grant an easement to the owner of Lot #31 to facilitate access to Aspen Lane.

Notice is hereby given that the Selectboard has scheduled an inspection of the subject highway portion for 5:00 PM on July 21, 2004, and has scheduled a public hearing to consider whether to discontinue the subject highway portion for 6:00 PM on July 21, 2004, to be held at the Winhall Town Offices.

Interested parties are invited to attend the inspection, and to provide testimony at the hearing as to whether the public good, necessity and convenience of the inhabitants of the Town of Winhall require the subject highway portion to be expanded. The Selectboard may, as a result of the public hearing, take such action as they judge appropriate for the public good, necessity and convenience.

Description of the highway portion proposed for discontinuance:

Being that portion of Lot #31 which was filled by the Town in connection with construction of improvements to Aspen Lane. Lot #31 is more particularly described in a deed from Kenneth O'Shea to Mary Beth Lane dated November 29, 2001 and recorded in Book 136 at Page 305 of the Winhall Land Records. This section of proposed highway is depicted on a survey prepared by Sitelines, dated September 12, 2002 and revised April 27, 2004. A copy of the survey may be examined in the Town Clerk's office.

Any one who has questions about the nature of the proceeding or wishes further information may contact Dennis McCarthy, Town of Winhall P.O. Box 389 Bondville VT 05340, or call him at (802) 297-2119.

## **TOWN OF WINHALL SELECTBOARD**

Meeting Minutes for Wednesday, July 21, 2004

---

**PRESENT:** Frank Pinto, Chair; Randy Ameden, Rudy Weaver, Randy Kimball (WHD), Lucia Wing, Secretary, Dennis McCarthy, Town Administrator

**ABSENT:** Jeff Whitesell (WPD)

**IN ATTENDANCE:** Elizabeth Jenks, Scott, Kate Coleman, Nancy Oakes, Ed Floyd, Dan & Cody Kilburn

**ASPEN LANE SITE VISIT @ 5:00 PM:**  
(See attached minutes and Public Notice)

### **CALL TO ORDER:**

Pinto called the regular meeting to order at 6:30 PM at the Town Hall.

### **PAY ORDERS:**

After review Pinto made the motion to approve pay order(s) #2, 3 & 4 as presented; seconded by Weaver; unanimous.

### **MINUTES OF PAST MEETING(S):**

After review, Ameden made the motion to approve the meeting minutes of July 7, 2004 as presented; seconded by Weaver; unanimous.

### **PUBLIC COMMENT(S):**

1) *Dan Kilburn* came before the Selectboard to comment on the use of four-wheelers and dirt bikes on Town property located at the end of Kendall Farm Road. Kilburn was interested in knowing what resolution, if any, the Selectboard had come to relative to using Town land. He stated that he and his sons frequently used the area to train for motor cross events; Kilburn would like to see motorized activity continued. Pinto responded that although the Selectboard had come to no conclusion relative to the above, he had contacted the Town attorney for his advice; potential action(s) might be to limit speed, thus reducing the noise; restrict activity to certain hours; allow only dirt bikes or ATV's that had received permits from the Town; or shut down the area entirely. A suggestion had been to restrict the use of the

Town land to only Winhall residents. Kilburn went on to say he would be happy to abide by any Town rules, and in addition, he would volunteer his time picking up trash and keeping the area clean. The Selectboard would get back to Kilburn when they had made a decision. In the meantime, one of the residents on Kendall Farm Road would ask neighbors to come up with their ideas and present it to the Selectboard.

2) *Next Ed Floyd (Technicon)* came before the Selectboard requesting a waiver from the Town road standards under Section 140 of the Winhall Subdivision Regulations re: a three (3) lot subdivision off Lower Taylor Hill Road owned by Ib Olsen and Bige Doruk. Floyd proposed reducing the width of the one way road servicing the three lots from 24 ft. to 18 ft. which was the approximate width of Lower Taylor Hill Road. In addition, he proposed a 14% grade for 300 feet which the Selectboard suggested be paved for better emergency access. Floyd explained the cul-de-sac was the required 70 ft. to allow for emergency vehicles to turn around. Before signing the Access Permit, the SB asked Randy Kimball to check the access for site distances, steepness of grade, culverts and report back to them.

**PUBLIC SAFETY (POLICE/FIRE/RESCUE) REPORT:**

Eight (8) individuals still needed to register their dogs with the Town. The dog warden had contacted all of them personally. If they still did not comply, then the WPD would issue tickets. The Town Clerk suggested an announcement be placed in the Town Report every year informing and reminding residents they needed to license their dogs.

**HIGHWAY & ROADS REPORT:**

1) Kimball reported he was holding an Access Permit for Stratton Gardens until they complied with his request for crushed stone. The Town Administrator would draft a letter to the owner.

2) Kimball reported Wilk would be finished with the Town paving job by August; Wild had requested partial payment, but the Selectboard agreed to hold the entire check until the project had been completed.

3) As a result of a statement from a property owner who said he owned a portion of the Snow Flake turn-around, the Town Clerk would check the

mylar to see exactly what portion the Town owned and what portion the landowner owned, if any. Kimball reported that cars were often parked in the turn-around making it difficult to plow.

**TOWN TRANSFER STATION REPORT:**

The Town Administrator reported the Town owed \$97.76 for advanced recycling in June 2004 re: used metal market. Also the Selectboard would begin interviewing applicants for the part-time Transfer Station attendant position; time and place to be arranged.

**MUNICIPAL BUILDING(S) REPORT:**

1) Nancy Oakes reported she had received the Labor & Industry permit for Sparky Electric to install additional outlets at the Transfer Station, underground wiring, and outside lighting. Oakes would also get a quote from Sparky to install three (3) overhead door openers for the Town shed.

2) Next Oakes and the Selectboard discussed the video information from Water Reel Irrigation System for watering the playing fields at the Community Center/school. The cost could be anywhere from \$5,000-\$10,000 depending on need. The SB asked Oakes to set up a demo at the school.

3) After discussion, Pinto made the motion to approve the purchase of a 60KW generator from Control Power Company at a cost of approximately \$35,000 installed by Sparky Electric for the Community Center/school. Seconded by Weaver; unanimous.

**OLD-UNFINISHED BUSINESS:**

The Town Administrator would update the Selectboard re: Route 30 enhancement grant application for pedestrian/bicycle sidewalk, crosswalk, signage and beautification of the Village of Bondville.

**NEW BUSINESS: (None)**

**ADMINISTRATIVE BUSINESS:**

1) After review, Ameden made the motion to approve and sign Town of Winhall employee comp-time records; seconded by Weaver; unanimous.

2) Elizabeth Jenks (Town Clerk) reported she had attended a Town Clerk's meeting at Gale Meadow Pond. At the meeting, it was decided that Selectboard(s) would meet as a separate Liquor Control Board when they approved liquor licenses. She also reported the Wildlife, Fish & Game Department allowed only the following activities at Gale Meadows: parking the car, launching a boat, or fishing. No picnics, swimming, wading, or meetings were allowed.

3) The Town Administrator reported the pre-buy price for gas from Haskins was \$1.39 per gallon paid by check in the amount of \$3864.20 by August 9<sup>th</sup>. Pinto suggested the Town look into pre-buying all its fuel. McMarthy would investigate.

**ANNOUNCEMENTS & CORRESPONDENCE:**

Announcements and correspondence included Bromley Mt. Act 250 permit; Green Mt. National Forest Manchester and Rochester District reports; July 2004 Opinions Office of the Secretary of State Deborah L. Markowitz; Intrawest Stratton Development- move the curb cut on Middle Ridge Road to serve Bldg. C5-C6; Stratton/Vantage Point Stormwater Treatment Certification; and Skylight Lodge subdivision of a 37 acre parcel.

**EXECUTIVE SESSION:**

At 8:35 PM the Selectboard voted to go into executive session re: personnel contracts. Motion by Pinto; seconded by Ameden; unanimous. At 9:10 PM the Selectboard voted to come out of executive session; motion by Weaver; seconded by Ameden; unanimous.

As there was no other business, the meeting was adjourned at 9:15 PM. Motion by Weaver; seconded by Ameden; unanimous.

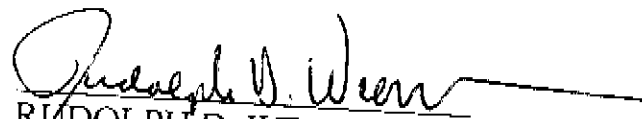
**Next Meeting: Wednesday, August 4, 2004 at 6:00 PM.**

Selectboard- July 21, 2004- page 5

Lucia Wing, Secretary  
Winhall Selectboard

  
FRANK PINTO, CHAIR

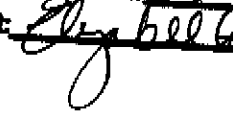

  
RANDY A. AMEDEN

  
RUDOLPH D. WEAVER

TOWN CLERK'S OFFICE  
WINHALL, VT  
**RECEIVED**

Date: 8-9-2004 at 9<sup>00</sup> AM

Recorded-Book # 5B Page #     

Attest:  

PUBLIC NOTICE

The Board of Selectmen for the Town of Winhall will be meeting at the Town Hall, 3 River Road, Bondville, Vermont 05340-0420 on August 4, 2004 to hear from residents on the filing of a VTrans enhancement grant. This grant would provide detailed designs for sidewalks, crosswalks, entrance signage, and access management in the Village of Bondville. The Board will meet from 7:00PM to 7:30 PM on this grant application. All interested residents of Winhall and businesses located in the Village of Bondville are invited to attend. Should residents or businesses have questions or concerns about this grant application prior to the meeting, they may contact the Town Administrator at 802 297 2119, [townhall@adelphia.net](mailto:townhall@adelphia.net), PO Box 420, Bondville, Vermont 05340.

Dated: 07 26 04

TOWN CLERK'S OFFICE  
WINHALL, VT  
**RECEIVED**

Date: 8-11-2004 at 9 am

Recorded-Book # FB Page # 1

Attest:   
TOWN CLERK

**PUBLIC NOTICE**

The Board of Selectmen for the Town of Winhall will be meeting at the Town Hall, 3 River Road, Bondville, Vermont 05340-0420 on August 4, 2004 to hear from residents on the filing of a VTrans enhancement grant. This grant would provide detailed designs for sidewalks, crosswalks, entrance signage, and access management in the Village of Bondville. The Board will meet from 7:00 P.M. to 7:30 P.M. on this grant application. All interested residents of Winhall and businesses located in the Village of Bondville are invited to attend. Should residents or businesses have questions or concerns about this grant application prior to the meeting, they may contact the Town Administrator at 802 297 2119, [townhall@adelphia.net](mailto:townhall@adelphia.net), PO Box 420, Bondville, Vermont 05340. Dated: 07 26 04

**Town of Winhall Select Board Meeting  
August 4, 2004  
Agenda**

**Call To Order:**

**Meeting begins at 6:00 PM and adjourns at approximately 9:00 PM**

**Approval of Minutes: from July 21, 2004 & July 30, 2004**

**Review Bills/Sign Orders – 6:00 to 6:30 PM**

**Public Comments**

**DEPARTMENT REPORTS**

**Police/Rescue**

Chief Whitesell's Monthly Department Report

Uniform and Canine Reimbursements – Follow Policy, Create New Policy, or Follow Historical Procedure.

**Warned Meeting 7:00 – 7:30 PM**

Enhancement Grant Application for Pedestrian/Bicycle Sidewalk, Crosswalks, Signage, Access Management for the Village of Bondville

**Buildings/Maintenance**

No Local Permit Required for Generator at Mountain School, However, the Sideline Set Back is 25'

Fuel Oil Pre-Buy

**Roads**

Access Permit for Ms. Julie Hahn – 19 Todd Hill Road

Access Permit for Ms. Senecal – Lot #9 Golden Triangle

**Transfer Station**

Leave Request

Letter Request for Suspected Violation of the Transfer Rules

**Old/Unfinished Business**

**New Business**

**Administrative**

Weekly Benefit Records for Employees

**Announcements/Correspondence:**

See Attached Reading List

**Executive Session:**

Personnel Contracts

It is assumed that the Selectboard will move to go into executive session

**Adjourn**

**Next Meeting: August 18, 2004 at 6:00 PM**



**August 4, 2004 Material Reading List for the Board of Selectmen**

- 1) VLCT News
  - a) Stratton enacts local sales, rooms and meals taxes
  - b) Rabies Vaccination law is changed
- 2) Vermont Land Trust – The Preservation Trust of Vermont – Freeman Foundation Report
- 3) Housing Affairs Letter = the independent weekly Washington Report on housing
- 4) Boston to Montreal High-Speed rail planning and feasibility study phase I – Final report executive summary
- 5) Winhall Memorial Library, Inc. – Fisher & Fisher – Amendment to Articles of Incorporation
- 6) Land Use Permit – Stratton Corporation Intrawest – move a driveway curb-cut on Middle Ridge Road approximately 140 feet north to serve Buildings C5 and C6
- 7) Vermont Real Estate Sales Update Aug. Sept. 2004
- 8) 2004 Town Fair and Field Day

**Town of Winhall Select Board Meeting  
August 18, 2004  
Agenda**

**Call To Order:**

**Meeting begins at 6:00 PM and adjourns at approximately 9:00 PM**

**Approval of Minutes: from August 4, 2004 & July 30, 2004**

**Review Bills/Sign Orders – 6:00 to 6:30 PM**

**Public Comments**

**DEPARTMENT REPORTS**

**Police/Rescue**

Monthly Report at the first meeting of the month

**Buildings/Maintenance**

Nancy Oakes monthly buildings and grounds report

**Roads**

Access Permit for Bondville Construction Management – 51 Cabin Road

Access Permit for Mr. Nick Piazza – 83 Benson Fuller Drive

Leave request - Highway

**Transfer Station**

Transfer Station work schedule

**Old/Unfinished Business**

Aspen Lane – Selectmen's Order – Easement Deed – Property Transfer Tax Return

**New Business**

Letter from concerned citizen on – noise – signs – animal control – 1% Local Tax Option

**Administrative**

VLCT Annual Business Meeting Voting Delegate

**Announcements/Correspondence:**

See Attached Reading List

**Executive Session:**

Personnel Matter

It is assumed that the Selectboard will move to go into executive session

**Adjourn**

**Next Meeting: September 1, 2004 at 6:00 PM**

TOWN OF WINHALL SELECTBOARD  
**Order of Condemnation**

On July 21, 2004, the Town of Winhall held a duly noticed hearing to consider a Petition brought by the Board of Selectmen pursuant to 19 V.S.A. § 708 *et seq.* to consider whether Aspen Lane, Town Highway #29, should be expanded to include a small area of Lot #31 of the Stratton Valley Development, currently owned by Mary Beth Lane. In connection with the acquisition of the section for highway, the Town also would consider whether to grant an easement to the owner of Lot #31 to facilitate access to Aspen Lane. The hearing consisted of an inspection of Aspen Lane at 5 p.m. and public hearing at 6 p.m.

After consideration of the site inspection and public comments, and review of the survey prepared by Charles Rockwell, Jr., L.S. #661, Sitelines of Dorset, VT, of Lot #31, Stratton Valley Development, dated September 12, 2002, and revised April 27, 2004 (the "Survey"), the Selectboard makes the following findings and conclusions, and issues the following order:

**FINDINGS**

1. Mary Beth Lane is the owner of Lot #31 by virtue of a deed from Kenneth O'Shea dated November 29, 2001 and recorded in Book 136, Page 305 of the Winhall Land Records.
2. Notice of the hearing was given pursuant to statute to Ms. Lane and to her mortgagee and assignees of record.
3. Ms. Lane was the only member of the public to attend the proceedings, and she expressed support for the proposal.
4. Condemnation of the area depicted on the Survey for highway purposes will bring the Town highway boundaries into conformance with the current location of the road and related earthworks.
5. Granting of a perpetual easement to the owner of Lot #31, in the location identified as the "Proposed 30' easement area" on the Survey, will assure perpetual access to the Town highway for Ms. Lane and her successors as owners of Lot #31. The easement shall allow passage over the easement area for all purposes of access, on foot or by motor vehicles.
6. The taking of this small section of land from the owner of Lot #31, together with the granting of an easement to the owner for access, will not cause any financial damage to the owner.

CONCLUSIONS

Based upon the foregoing Findings, the Selectboard concludes that the public good, necessity and convenience of the inhabitants of the Town of Winhall require that the subject highway portion be established.

THEREFORE, it is ORDERED that the area depicted as "Proposed Condemnation Area" on the Survey shall be, and hereby is, taken in fee simple from Mary Beth Lane and all those claiming under her, as owner of Lot #31, Stratton Valley Development., pursuant to 19 V.S.A. § 708 *et seq.* for municipal highway purposes. No damages are awarded. This order shall be effective 30 days from the date hereof.

Dated: 8/18/04

TOWN OF WINHALL SELECTBOARD

TOWN CLERK'S OFFICE  
WINHALL, VT  
**RECEIVED**

Date: August 23, 2004 at 7:35 AM  
Recorded - Book # 163 Page # 231  
Attest: Elizabeth J. Jones  
TOWN CLERK

Frank R. Pinto  
Frank Pinto, Chairman

Randy A. Amedee  
Randy Amedee, Vice Chairman

Rudolph D. Weaver  
Rudolph Weaver, Member

**Town of Winhall Select Board Special Meeting**

**July 30, 2004**

**Agenda**

**Emergency Meeting at Winhall Town Hall**

**Call To Order:**

**Executive Session:**

Personnel Employment Concerns

It is assumed that the Selectboard will move to go into executive session

**Adjourn**

**Next Regular Meeting: August 4, 2004 at 6:00 PM**

**Town of Winhall Select Board Special Meeting**

**July 30, 2004**

**Minutes**

**Emergency Meeting at Winhall Town Hall**

**Call To Order:**

**Executive Session:**

Personnel Employment Concerns

It is assumed that the Selectboard will move to go into executive session

**Present:** Frank Pinto, Chair Randy Ameden, Vice Chair Rudolph Weaver, Member  
Randy Kimball, Highway Foreman Dennis C. McCarthy, Town Administrator

The Selectboard went into Executive Session to discuss employee concerns.

The Selectboard came out of Executive Session. The Board agreed to present a letter of reprimand. The letter is to be delivered by the Supervisor. The liaison Selectman for the Department will accompany the Supervisor as a witness and witness only as required by the Town of Winhall Personnel Policies and Rules. With no further business to be transacted the Board moved to adjourn, all in favor of adjournment.

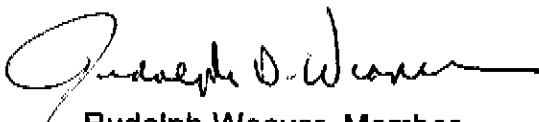
**Next Regular Meeting: August 4, 2004 at 6:00 PM**

Respectfully Submitted,

  
Dennis C. McCarthy, Town Administrator

  
Frank Pinto, Chair

  
Randy Ameden, Vice Chair

  
Rudolph Weaver, Member

Date: 08/18/04

**TOWN CLERK'S OFFICE  
WINHALL, VT**

**RECEIVED**

Date: AUGUST 23 2004 at 9 AM

Recorded-Book # 50 Page #     

Attest:   
TOWN CLERK

**Town of Winhall Select Board Meeting  
August 4, 2004  
Agenda**

**Call To Order:**

**Meeting begins at 6:00 PM and adjourns at approximately 9:00 PM**

**Approval of Minutes: from July 21, 2004 & July 30, 2004**

**Review Bills/Sign Orders – 6:00 to 6:30 PM**

**Public Comments**

**DEPARTMENT REPORTS**

**Police/Rescue**

Chief Whitesell's Monthly Department Report

Uniform and Canine Reimbursements – Follow Policy, Create New Policy, or Follow  
Historical Procedure.

**Warned Meeting 7:00 – 7:30 PM**

Enhancement Grant Application for Pedestrian/Bicycle Sidewalk, Crosswalks, Signage, Access  
Management for the Village of Bondville

**Buildings/Maintenance**

No Local Permit Required for Generator at Mountain School, However, the Sideline Set Back  
is 25'

Fuel Oil Pre-Buy

**Roads**

Access Permit for Ms. Julie Hahn – 19 Todd Hill Road

Access Permit for Ms. Senecal – Lot #9 Golden Triangle

**Transfer Station**

Leave Request

Letter Request for Suspected Violation of the Transfer Rules

**Old/Unfinished Business**

**New Business**

**Administrative**

Weekly Benefit Records for Employees

**Announcements/Correspondence:**

See Attached Reading List

**Executive Session:**

Personnel Contracts

It is assumed that the Selectboard will move to go into executive session

**Adjourn**

**Next Meeting: August 18, 2004 at 6:00 PM**

**August 4, 2004 Material Reading List for the Board of Selectmen**

- 1) VLCT News
  - a) Stratton enacts local sales, rooms and meals taxes
  - b) Rabies Vaccination law is changed
- 2) Vermont Land Trust – The Preservation Trust of Vermont – Freeman Foundation Report
- 3) Housing Affairs Letter = the independent weekly Washington Report on housing
- 4) Boston to Montreal High-Speed rail planning and feasibility study phase I – Final report executive summary
- 5) Winhall Memorial Library, Inc. – Fisher & Fisher – Amendment to Articles of Incorporation
- 6) Land Use Permit – Stratton Corporation Intrawest – move a driveway curb-cut on Middle Ridge Road approximately 140 feet north to serve Buildings C5 and C6
- 7) Vermont Real Estate Sales Update Aug. Sept. 2004
- 8) 2004 Town Fair and Field Day



TOWN OF WINHALL SELECTBOARD  
Meeting Minutes for Wednesday, August 4, 2004

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**PRESENT:**

Frank Pinto, Chair; Randy Ameden, Vice Chair; Rudy Weaver, Member; Jeffery Whitesell, Chief of Police; Nancy Oakes, Manager of Buildings and Grounds; Dennis McCarthy, Town Administrator

**ABSENT:**

Randy Kimball, Highway Foreman, excused absence

**IN ATTENDANCE:**

George Abel, Ed Molinelli, Cindy Logan

**CALL TO ORDER:**

Chairman Pinto called the regular meeting to order at 6:00 PM at the Town Hall.

**PAY ORDERS:**

After review, Chairman Pinto moved to approve pay order(s) #5, 6 & 7 as presented; seconded by Vice Chairman Ameden. Motion carried by unanimous vote.

**MINUTES OF PAST MEETING(S):**

After review, Chairman Pinto moved to approve the minutes of July 21, 2004 as presented; Member Weaver seconded the motion. Motion carried by unanimous vote.

**Public Comments:**

Cindy Logan came before the Board to discuss the placement of a sign for her business located one mile from Route 30 on Winhall Hollow Road. She gave some background to her efforts to place a sign at the junction of Winhall Hollow Road and Route 30. The Red Fox has been in existence since 1960 and has tried in vain to secure a sign at Route 30 for several years. They have always been denied because it has been considered an off premise sign. When the Login's opened a golf driving range six years ago they were granted permission to place a sign at Route 30 with the condition that she had to put it out during the day and take it in at night. When she had the driving range she did serve food and drink from the concession stand.

She submitted a permit application on July 1, 2004 to Zoning Administrator Jerry Driscoll. The permit was for a sign at Route 30 and the former driving range concession stand that would now be for serving food and drink less the driving range. She talked to Zoning Administrator Driscoll about the permit and he said that he would have to deny the sign because it was an off premise sign but there was an appeals process. She was assuming that it was not a huge issue because she had been granted permission before and she was having the same type of operation now as was done in the past (serving food and drink). Cindy stated that she waited to hear back in the mail, "I assumed there would be something in the mail, written with his decision, nothing ever came, never called, and two weeks later we got a little bit frustrated with no response; we put the sandwich board up".

Cindy then went to the Zoning Board after Jerry told her and Tom twice to take down the sign. She went to inform the Zoning Board that she had not been notified in writing of any decision and asked for an explanation as to what is the

process; Cindy stated that she thought it was a very unprofessional way to handle the Town business. She is very frustrated now because there are signs in this Town that are illegal. Stratton Gardens Sign is one and no one is fining them and making them take it down. Cindy asked why is he barking up our tree from day one, when all these other signs are illegal and nothing is being done in regards to them? In her opinion the Zoning Administrator is not enforcing the zoning by-laws in a consistent and fair manner. Other businesses have been allowed to place off premise signs after she had asked to do so and had been denied. She feels the Town is not supporting business and it is not fair to single her out and not violate others. Chairman Pinto asked Cindy whether the Zoning Administrator or the Zoning Board of Adjustment are considering her request or is it that she just started to late. Chairman Pinto stated that her request for the sign in outside of the Selectboard's domain? After further conversation with Cindy and others in the audience the Board instructed the Town Administrator to speak to the Zoning Administrator and Town's Attorney to understand the issue and to give whatever relief can be given to Cindy until the Zoning Board of Adjustment meets on this issue on August 16, 2004. The Board told Cindy that if she did not hear from the Town Administrator by 11:00 AM Thursday, to go ahead and put the sign up until the Zoning Board of Adjustment acts on her permit August 16, 2004.

**Police/Rescue:**

Chief Whitesell gave his monthly Police Department Report. (See Attached Sheet)

Canine Reimbursement – Chairman Pinto made a motion to pay the canine reimbursement on a weekly non-tax basis. There will be 52 weekly payments of \$42.00 each for a total of \$2,184.00. Member Weaver seconded the motion. Discussion: the Board asked the Town Administrator to review this with the Town Treasurer and make the necessary arrangements to accomplish this motion. Motion carried by unanimous vote.

Uniform reimbursement – there was discussion about the time frame that the uniform reimbursement was to be paid. It was not easily decided whether the payment was to be paid at the beginning of the fiscal year or at the end. Chairman Pinto moved to have the Town Administrator to research this issue with the Town Treasurer and report back to the Board on the 18<sup>th</sup>. Vice Chairman Ameden seconded the motion. Motion carried by unanimous vote. (If it is for the previous year than a \$500.00 check is to be issued to the full time employee's for 03-04. A new procedure for paying the uniform reimbursement will be: uniform reimbursement will be paid to full time police department employees on a weekly non-tax basis. The payments will be as follows: 51 weekly payments of \$9.62, and one payment of \$9.38 for a total of \$500.00).

Dog Report – Chief Whitesell reported that three tickets have been issued and that others that were on the list have registered their dogs. Tom Harriman was following up on all unregistered dogs and will keep in close contact with the Chief.

**Warned Meeting 7:00 – 7:30 PM**

The Town Administrator presented the enhancement grant application to the Board and those present. It was well received by those present. The Administrator received a compliment from Chairman Pinto for a very nice report. The Administrator explained the process that the report will go through at VTrans in Montpelier. The Town will be notified in December whether it will receive funding for the Pedestrian Bicycle Facility Design.

Chairman Pinto moved to sign the letter of support for the enhancement grant. Vice Chairman Ameden seconded the motion. Motion carried by unanimous vote. The Administrator informed the Board that the final documents would be attached and the report would be shipped the week of August 9, 2004.

**Building Maintenance:**

The Town Administrator reported that he was in contact with the Zoning Administrator about the need for a permit at the School for the generator. No permit is needed, however, the location must meet the sideline set back that is 25 feet. Nancy reported that the manufacturer of the generator has gone out of business. There will have to be a new proposal prepared for this equipment and work. The Highway Department will do the excavating and concrete work for this project. Nancy was authorized to contact the surveyor to relocate the pins that Nancy and Dennis were not able to locate. These pins need to be located before any work can be started. The transfer switch will be placed in the new utility building, the Board agreed. Rudy suggested that Nancy also check with the generator company to see about a maintenance agreement.

Nancy reported that the fire alarm inspectors were here and that all is well except at the firehouse. There is a need for tow more heat sensors and a strobe light in the truck bay, and the main panel will need to be replaced. Chairman Pinto moved to have Nancy check on price and proceed with the installation. Vice Chairman Ameden seconded the motion. Motion carried by unanimous vote.

Nancy reported that the soccer field had sustained vandalism, and the police were notified and will patrol the area more often.

Nancy would like to have the playground equipment checked for safety. The Board suggested that Nancy call Manchester Parks and Recreation and Cindy Logan, Chair of the Recreation Committee, who the manufacture of the equipment was. Nancy will research this issue.

Nancy informed the Board that a demonstration of the water machine for the field at the Mountain School would be held very soon. She will keep the Board informed as to the time for the demo.

Vice Chairman Ameden asked Nancy to contact Wes Ameden and see if he would be interested in doing the winter maintenance for this coming winter session, and get back to the Board.

The Board reviewed the pre-buy for fuel oil and propane for the Towns buildings. Chairman Pinto moved to approve the pre-buy of fuel oil from Kearley's at a price of \$1.349 (\$4,618.65 = 5000 gallons, Town had a credit of \$2,126.35) and the pre-buy of propane from Haskins at a price of \$1.39 (\$3,864.20 = 2780 gallons). Vice Chairman Ameden seconded the motion. Motion carried by unanimous vote.

**Roads:**

The Board reviewed two access permits one from Ms. Julie Hahn – 19 Todd Hill Road and Ms. Tara Senecal – lot #9 Golden Triangle. Vice Chairman Ameden moved to approve the access permits as presented. Member Weaver seconded the motion. Motion carried by unanimous vote.

**Transfer Station:**

The Board reviewed a leave request by the transfer attendant from August 31 to September 21, 2004. Chairman Pinto moved to approve the leave request. Vice Chairman Ameden seconded the motion. Motion carried by unanimous vote.

The Transfer Attendant requested that a letter be sent to an individual that is suspected of violating the Solid Waste Rules. The Board instructed the Town Administrator to ask the Supervisor to contact the individual and give instruction in the proper use of the transfer station.

**Old/Unfinished Business:**

None

**New Business:**

None

**Administrative:**

The Town Administrator brought to the attention of the Board that he received a request to provide a weekly report on Vacation and Sick leave. The Administrator at this time provides a report when an individual takes or receives either type of leave. The report could go for weeks without any changes and the Administrator want direction as to what procedure the Board would like him to follow. After some discussion the Board told the Administrator that the present procedure is fine. Member Weaver asked that a comment be added to the report that stating; if this record is not correct you have seven days to report the error to your supervisor. All members were in-favor of this addition.

**Announcements/Correspondence:**

The Administrator compiled a list of current articles and instructional information that the Board may be interested in reading. The material was received over the last two weeks. See attached list.

Vice Chairman Ameden informed the Board that a bid of \$26,000.00 was received from Bromley Corporation with a \$5,000.00 non-refundable check. The Board moved to accept the bid and instructed the Administrator to notify Bromley of their decision.

**Executive Session: Personnel Contracts**

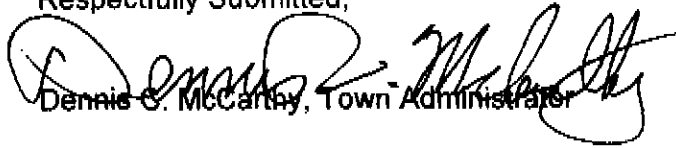
At 9:15 Chairman Pinto moved to go into executive session. Member Weaver seconded the motion. Motion passed by unanimous vote.

At 10:45 Chairman Pinto moved to come out of executive session. Member Weaver seconded the motion. Motion passed by unanimous vote.

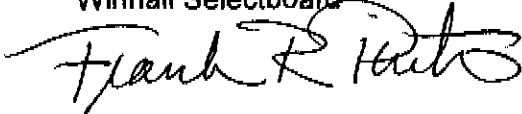
As no decisions were made and there was no further business to transact Vice Chairman Ameden moved to adjourn. Member Weaver seconded the motion. Motion passed by unanimous vote.

**Next Meeting: Wednesday, August 18, 2004 at 6:00 PM**

Respectfully Submitted,

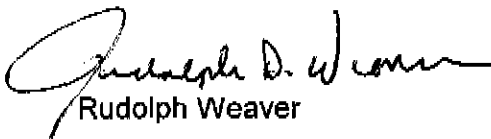
  
Dennis C. McCarthy, Town Administrator

Winhall Selectboard



Frank Pinto, Chair

  
Randy Armeden

  
Rudolph Weaver

**TOWN CLERK'S OFFICE**

WINHALL VT

**RECEIVED**

Date: August 30 2004 at 9:00 AM

Recorded-Book # 58 Page # by date

Attest:   
TOWN CLERK



# WINHALL POLICE & RESCUE

P.O. Box 139  
Bondville, VT 05340



*Jeffery L. Whitesell*  
Chief of Police & Rescue

## WINHALL POLICE & RESCUE MONTHLY REPORT JULY 2004

INCIDENT	WINHALL	STRATTON	TOTALS
ACCIDENTS/MV	5	0	5
ALARMS	27	0	27
ANIMAL PROB	5	0	5
AGENCY ASST.*	12*	3	15*
CITIZEN DISP	1	0	1
FIRE ALARM	1	0	1
911 HANGUPS	3	0	3
LOST PROPERTY	2	0	2
MEDICAL	4	1	5
PROP WATCH	4	0	4
SUSPICIOUS	4	0	4
THEFT	2	0	2
TRAFFIC HAZ.	1	0	1
VIN IDENT	1	0	1
WELFARE CHECK	0	1	1
TOTAL INCIDENTS	70	5	75
TICKETS/SPEED	21	0	21
OTHER	1	0	1
WARNINGS/SPEED	27	2	29
OTHER	1	0	1
TOTAL	50	2	52
TICKETS/WARNINGS			
MONTHLY TOTALS	120	7	127

\*2 Agency Assists Outside of Territory

## PUBLIC NOTICE

The Board of Selectmen for the Town of Winhall is seeking individuals that will be interested in joining a Cemetery Committee. The Committee would perform the following tasks,

- 1) Record the condition of the cemeteries and report to the Board of Selectmen on the conditions.
- 2) Record the condition of the head stones and corner markers and report to the Board of Selectmen on the conditions.
- 3) Develop plot plans of the cemeteries.
- 4) Record the individuals buried in the cemeteries and locate on the developed plot plans.
- 5) Make recommendation to the Board of Selectmen on rules, regulations, and procedures for the use of the cemeteries.

All individuals that are interested in serving the Town of Winhall on this Committee, please respond to the Town Administrator at 802 297 2119 or [townhall@adelphia.net](mailto:townhall@adelphia.net), by July 19, 2004.

. PUBLIC NOTICE

Town of Winhall  
3 River Road  
PO Box 420  
Bondville, Vermont 05340-0420

Classified Ad

August 26, 2004

**Zoning Board of Adjustment Vacancy**

The Town of Winhall has an opportunity for a resident to serve on the Winhall Zoning Board of Adjustment. Residents interested in serving on the Zoning Board of Adjustment need to submit a letter stating why they would like to join the Zoning Board of Adjustment. All correspondence should be directed to Ms. Lucia Wing, Secretary  
Zoning Board of Adjustment  
PO Box 420  
Bondville, Vermont 05340-0420.

All correspondence needs to be received by Ms. Wing no later than September 15, 2004. Applicants will be notified when the Zoning Board of Adjustment will hold interviews.

Interested individuals may contact Ms. Wing at 802 297 9317 or [wpczba@adelphia.net](mailto:wpczba@adelphia.net) to obtain further information.

The Town of Winhall is an Equal Opportunity Employer.  
Dated 08 26 04



. PUBLIC NOTICE

Town of Winhall  
3 River Road  
PO Box 420  
Bondville, Vermont 05340-0420

Classified Ad

August 26, 2004

**Part-time Custodial Employee**

The Town of Winhall has an employment opportunity at the Mt. School/Winhall Community Center. The selected individual will assist the Buildings Facilities Manager as a part-time custodial employee. This position requires approximately ten (10) hours per week, early morning or early evening hours, and an occasional weekend. The position also requires a background check and the ability to lift fifty pounds (50). The rate of pay is \$12.00 per hour and the selected individual will report directly to the Buildings Facilities Manager.

Interested individuals can contact the Town of Winhall Administrator at 3 River Road, Bondville, Vermont for a job application, or call 802 297 2119, or email [townhall@adelphia.net](mailto:townhall@adelphia.net) to obtain further information.

The Town of Winhall is an Equal Opportunity Employer.

Dated 08 26 04

**Town of Winhall Select Board Meeting  
August 18, 2004  
Agenda**

**Call To Order:**

**Meeting begins at 6:00 PM and adjourns at approximately 9:00 PM**

**Approval of Minutes: from August 4, 2004 & July 30, 2004**

**Review Bills/Sign Orders – 6:00 to 6:30 PM**

**Public Comments**

**DEPARTMENT REPORTS**

**Police/Rescue**

Monthly Report at the first meeting of the month

**Buildings/Maintenance**

Nancy Oakes monthly buildings and grounds report

**Roads**

Access Permit for Bondville Construction Management – 51 Cabin Road

Access Permit for Mr. Nick Piazza – 83 Benson Fuller Drive

Leave request - Highway

**Transfer Station**

Transfer Station work schedule

**Old/Unfinished Business**

Aspen Lane – Selectmen's Order – Easement Deed – Property Transfer Tax Return

**New Business**

Letter from concerned citizen on – noise – signs – animal control – 1% Local Tax Option

**Administrative**

VLCT Annual Business Meeting Voting Delegate

**Announcements/Correspondence:**

See Attached Reading List

**Executive Session:**

Personnel Matter

It is assumed that the Selectboard will move to go into executive session

**Adjourn**

**Next Meeting: September 1, 2004 at 6:00 PM**

**August 18, 2004 Material Reading List for the Board of Selectmen**

- 1) Correspondence from the Red Fox Inn
- 2) Press article about Intrawest's sale to CNL Properties Inc.
- 3) Correspondence on other Towns that are adding to Killington's vote to join New Hampshire
- 4) VLCT 2004 – 2005 Calendar of Training and Events
- 5) VLCT Candidate Bulletin (Candidates forum toolbox)
- 6) Letter to Mr. Rolf van Schaik, Director of Construction and Development
- 7) Woodbury College publication (Woodbury Perspectives)
- 8) State of Vermont, Agency of Natural Resources, Schedule of Planned Stewardship Activities
- 9) Connecticut River Joint Commission publication (River Valley News)
- 10) VLCT Candidate Bulletin – Introduction
- 11) VLCT DRAFT Vermont Municipal Policy for Town Fair and the upcoming Legislative Session

**Town of Winhall Select Board Special Meeting**

**August 25, 2004**

**Agenda**

**Special Meeting at Winhall Town Hall**

**Call To Order:**

**Executive Session:**

Personnel Employment Contract

It is assumed that the Selectboard will move to go into executive session

**Adjourn**

**Next Regular Meeting: September 1, 2004 at 6:00 PM**

Frank Pinto, Chair called the meeting to order at 5:30 PM. Randy Ameden moved to go into executive session. Rudolph Weaver seconded the motion; all members were in favor of the motion.

Rudolph Weaver moved to come out of executive session. Randy Ameden seconded the motion; all members were in favor of the motion. Members came out of executive session at 7:30 PM.

There was no decision taken from this executive session. Further research will be needed before a decision can be made.

Frank Pinto moved to adjourn. Randy Ameden seconded the motion; all members were in favor of the motion. Selectboard adjourned at 7:31 PM.

Respectfully Submitted,

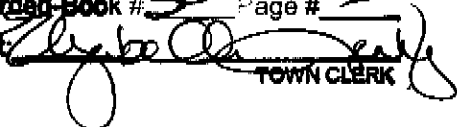
Dennis C. McCarthy, Town Administrator

Winhall Selectboard

  
Frank Pinto, Chair

  
Randy Ameden, Vice Chair

  
Rudolph Weaver, Member

**TOWN CLERK'S OFFICE**  
**WINHALL, VT**  
**RECEIVED**  
Date: September 2, 2004 at 9am  
Recorded Book # 55 Page # -  
Attest:   
TOWN CLERK

## **TOWN OF WINHALL SELECTBOARD**

Meeting Minutes for Wednesday, August 18, 2004

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**PRESENT:** Frank Pinto, Chair; Randy Ameden, Rudy Weaver, Randy Kimball (WHD), Lucia Wing, Secretary, Dennis McCarthy, Town Administrator

**ABSENT:** Jeff Whitesell (WPD)

**IN ATTENDANCE:** Nancy Oakes, George Abel, Stuart Fause, Kate Coleman (Town Treasurer)

### **CALL TO ORDER:**

Pinto called the regular meeting to order at 6:00 PM at the Town Hall.

### **PAY ORDERS:**

After review Pinto made the motion to approve pay order(s) #8,9,10 as presented; seconded by Weaver; unanimous.

### **MINUTES OF PAST MEETING(S):**

After review, Ameden made the motion to approve the meeting minutes of August 4, 2004 as corrected; seconded by Weaver; unanimous.

### **PUBLIC COMMENT(S):**

*Stuart Fause* came before the Selectboard to suggest Winhall consider joining forces with Manchester for rapid response ambulance service with a paramedic team in place. Fause suggested Winhall contribute to Manchester for this needed service in Winhall. He also commented he had been in contact with the CEO of Bennington Hospital for additional funding. Fause suggested Winhall contact the CEO of Rutland Hospital as well. Fause explained that Federal funding was also available through HEW. Another suggestion was to get several of the towns together to better fund the Londonderry ambulance service which presently comes to Winhall. Pinto and Fause would explore the situation in Manchester further and get back to the Selectboard with their findings.

### **PUBLIC SAFETY (POLICE/FIRE/RESCUE) REPORT:**

(No report)

**HIGHWAY & ROADS REPORT:**

1) Kimball reported blacktopping Town roads was still in progress; Stratton Gardens had opened a gravel pit without a permit; and several curb cuts had been constructed without signed Access Permits from the Town. Kimball and the Selectboard discussed establishing fines for those curb cuts without permits.

2) The Selectboard reviewed and signed Access Permit(s) for Bondville Construction Management (#51 Stone Cabin Road) and Nick Piazza (#83 Benson Fuller Drive).

**TOWN TRANSFER STATION REPORT:**

The Town Administrator reported he had completed the Transfer Station work schedule for the new part-timers. Kimball reported all the Freon had been contained and shipped out; the Town still needed an additional container for cardboard; and the compactors were getting serviced for the winter including extensive shoe replacement.

**MUNICIPAL BUILDING(S) REPORT:**

1) After discussion with Nancy Oakes re: new generator quote from Sparky Electric which was approximately \$2,000 less than the previous proposal, Pinto made the motion to approve the purchase of a 75KW LP gas generator from Control Power Company Inc. at a cost not to exceed \$35,000 (no sales tax) installed by Sparky Electric for the Community Center/school; in addition, the Town to save approximately \$4,000 by doing their own digging and cementing. Seconded by Weaver; unanimous. Oakes and the SB also discussed the location of the generator near the new storage shed; however before installing the generator, Oakes would confirm the school boundary lines. The Selectboard then authorized the Town Treasurer to issue a check for \$1,875 (10% down) for the new generator.

2) Oakes reported that Water Reel from Syracuse, NY was planning on a demonstration at the school playing fields the following week. After further discussion, Pinto made the motion that if the Selectboard liked the product after the demo, they would approve the purchase of the watering system for the playing fields at a cost not to exceed \$7,200. Seconded by Weaver; unanimous.

3) Next Oakes reported the playground equipment at the school had been inspected; the wooden benches needed to be sanded and repainted; the swing needed hook adjustment(s); and the climbing wall needed loose pieces repaired. Oakes would investigate finding someone to do the work.

4) Oakes reported that Wesley Ameden (winter maintenance) was increasing his plowing prices from \$50 to \$75 per plow; the overall adjustment would cost the Town \$125 per occurrence instead of \$100. After further discussion, Pinto made the motion to approve the increase and re-contract with Ameden this winter. Seconded by Weaver; unanimous. (Randy Ameden abstained from voting.)

5) Oakes reported Mountain Glass, who had originally installed the windows at the school atrium, would replace the three (3) atrium windows with safety glass for \$651.00; they would replace the fourth window at no charge.

6) Next Oakes and the Selectboard discussed purchasing software at a cost of \$3,174.70 to operate the ventilating system at the Community Center-school. Oakes explained that without the software, the ventilators could not be serviced. Oakes would check with Velsor first before doing anything. Oakes also reported that two (2) signs had been stolen from the school.

**OLD-UNFINISHED BUSINESS:**

After review, the Selectboard signed the Condemnation & Easement Agreement and Property Tax Return re: Aspen Lane.

**NEW BUSINESS:**

Next the Selectboard reviewed a letter from Brian Van Horn re: drafting a noise ordinance; allowing off premise temporary signs for local businesses; improved animal control enforcement; and instituting a 1% local tax option. The SB generally felt a 1% tax option would not produce much revenue as the Town was too small. However, they asked the Town Administrator to write Van Horn a letter asking him to compile statistics relative to his suggestion for a 1% tax option, and they would review it.

**ADMINISTRATIVE BUSINESS:**

1) The Selectboard unanimously agreed to appoint Dennis McCarthy voting delegate to the Annual VLCT Business Meeting. Kate Coleman, Elizabeth Jenks, and Chief Whitesell would also attend. The SB also approved Jenks' request to attend a two (2) day Town Clerk's conference and McCarthy's request to attend a two (2) day Vermont Town and City Managers Association conference. The Selectboard suggested that in the future, they be furnished with a calendar of conference and meeting events for the year and who was planning to attend.

2) Next Pinto made the motion to reappoint Paul Molinelli to the Winhall Planning Commission; seconded by Ameden; unanimous.

**ANNOUNCEMENTS & CORRESPONDENCE:**

Announcements and correspondence included a letter from the Red Fox Inn; press article re: Intrawest's sale to CNL Properties Inc.; correspondence from other towns re: joining Killington's vote to join New Hampshire; VLCT 2004-2205 calendar of training events; VLCT Candidate Bulletin; letter to Rolf Van Schaik, Dir. of Construction and Development Bromley Mountain; Woodbury College perspectives; ANR schedule of planned stewardship activities; River Valley News; VLCT draft Vermont Municipal Policy for Town Fair and the upcoming legislative session.

**EXECUTIVE SESSION:**

At 9:30 PM the Selectboard voted to go into executive session re: personnel matters. Motion by Pinto; seconded by Ameden; unanimous. At 9:45 PM the Selectboard voted to come out of executive session; motion by Weaver; seconded by Ameden; unanimous.

As there was no other business, the meeting was adjourned at 9:50 PM. Motion by Weaver; seconded by Ameden; unanimous.

**Next Meeting: Wednesday, September 1, 2004 at 6:00 PM.**



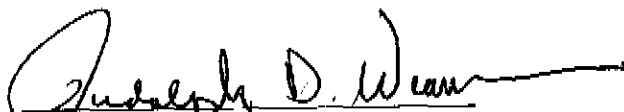
Selectboard- August 18, 2004- page 5

Meeting minutes respectfully submitted by,

Lucia Wing, Secretary  
Winhall Selectboard

  
FRANK PINTO, CHAIR

  
RANDY A. AMEDEN

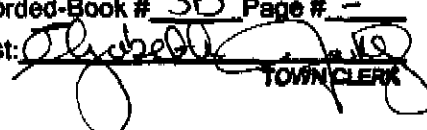
  
RUDOLPH D. WEAVER

**TOWN CLERK'S OFFICE  
WINHALL, VT**

**RECEIVED**

Date: Sept. 9, 2004 at 2:00 PM

Recorded-Book # SB Page # -

Attest:   
TOWN CLERK

**Town of Winhall Select Board Meeting**  
**September 15, 2004**  
**Agenda**

**Call To Order: Meeting begins at 6:00 PM and adjourns at approximately 9:00 PM**  
**Approval of Minutes: from September 1, 2004 and September 7, 2004**  
**Review Bills/Sign Orders – 6:00 to 6:30 PM**

**Public Comments**

**DEPARTMENT REPORTS**

**Board of Listers**

Report on errors and omissions

**Winhall Industrial Society**

Bob Vail Local mailing for Volunteers

**Police/Rescue**

Chief Whitesell's Monthly Department Report-first meeting of the month

**Buildings/Maintenance**

Facilities Manager Nancy Oakes report

Part-time Custodial Employee Advertisement

**Roads**

Access Permit for Stratton Gardens lot 53-54

Access Permit for Stratton Gardens lot 52

Access Permit for Stratton Gardens lot 49

Access Permit for Stratton Gardens lot 57

Access Permit for Stratton Gardens lot 35

Crosswalk between Winhall Market and US Post Office

911 Road Name Signs – when does Town replace at no charge

Used Culvert from French Hollow

**Transfer Station**

Lights at Recyclable Area and Surrounding Area

Keys at Transfer Station Changed – Information

**Old/Unfinished Business**

2<sup>nd</sup> reading of the Winhall Appointment Policy

Appointments of Town Officers

Noise Complaints-Kendall Farm Road

**New Business**

Secession Date with David Lewis, Town Manager, Killington, Tuesday, September 21, 2004, 6:30 PM Winhall Community Center

Winhall School Board

**Administrative**

Municipal Service Agreement between Winhall Town and Stratton Corporation

VLCT Health Screening for Tuesday, September 28, 2004 Town Hall 9:30 PM

**Announcements/Correspondence:**

See Attached Reading List

**Executive Session:**

Personnel Issues - Contracts

It is assumed that the Selectboard will move to go into executive session

**Adjourn**

**Next Meeting: October 6, 2004 at 6:00 PM**

**Over Please**

Winhall Board of Selectmen  
3 River Road  
PO Box 420  
Winhall, Vermont 05340-0420  
[townhall@adelphia.net](mailto:townhall@adelphia.net)  
802 297 2119 - 802 297 2177 fax

Frank Pinto, Chair  
Randy Ametken, Vice Chair  
Rudolph Weaver, Member

## TOWN OF WINHALL APPOINTMENT POLICY

The Board of Selectmen will appoint candidates to the various Town Boards and non-elected offices according to the following procedure:

- I. When a vacancy arises either prior to or upon completion of an existing member's term, the Board of Selectmen will consider recommendations from that board accepting the new appointment.
- II. Before recommending a candidate(s) to the Board of Selectmen, the board accepting the new appointment will give notice of the vacancy by placing an advertisement in the local newspaper (the Winhall Town Administrator will assist the Boards with this task). The Board with the vacancy will conduct interviews and make their recommendation to the Select board. The Selectboard reserves the right to interview the recommended candidate(s). The interview and vote on the candidates will be conducted at a regular meeting of the Board of Selectmen. Interviews of candidates will be held in executive session by the board accepting the new appointment and/or the Board of Selectmen. Votes to recommend/appoint a candidate will be held in an open session of the board recommending the new appointment and the Board of Selectmen appointing the candidate. If the Board of Selectmen does not receive a recommendation from the board or non-elected office responsible for making the recommendation, (within thirty days from the date of the vacancy) the Board of Selectmen will advertise the position, conduct their own interviews and then appoint the candidate of their choice.
- III. Should the Board of Selectmen not accept the recommended candidate, the board making the recommendation will be asked to recommend a new candidate for consideration. If the board does not make a second recommendation, the Board of Selectmen can appoint a candidate from among the pool of interested parties or reopen the search for a candidate.
- IV. Existing members of various Town Boards, and non-elected officers may be reappointed by the Board of Selectmen, following a recommendation by the effected board or a letter requesting reappointment from the non-elected officer. Reappointment of existing members on Town Boards and existing non-elected officers need not be advertised.

TOWN OF WINHALI APPOINTMENT POLICY

PAGE 2

The Board of Selectmen will appoint persons to complete the term of an elected officer in the case of a vacancy prior to the completion of that officer's term according to the following procedure:

- I. The Board of Selectmen will request a letter of resignation from the elected officer, were applicable. Upon receipt of the letter of resignation or other acceptable notice, the Board will advertise the position in the local paper, conduct their own interviews and then appoint a candidate of their choice from the pool of respondents.

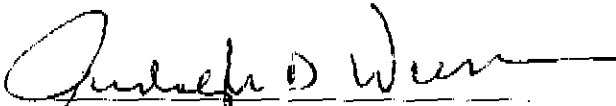
Board of Selectmen

  
Frank Pinto, Chair

09/01/04  
First Reading Date

  
Randy Amodeo, Vice Chairman

09/15/04  
Second Reading Date

  
Rudolph Weaver, Member

Third Reading Date

09/15/04  
Signing Date

TOWN OF WINHALL

# SECESSION IS IT RIGHT FOR WINHALL?



Attend an informational meeting on Tuesday evening. Come listen to David Lewis, Town Manager of Killington, Vermont, a leader in the secession movement. Listen and partake in the discussion on the ramifications of secession, and answer the question for yourself. Is secession right for Winhall?

## SECESSION INFORMATIONAL MEETING

Town Hall, 3 River Road, Bondville Vermont

Tuesday Evening September 21, 2004

6:30 PM—Second floor



**Town of Winhall Select Board Meeting**

**September 1, 2004**

**Agenda**

**Call To Order: Meeting begins at 6:00 PM and adjourns at approximately 9:00 PM**

**Approval of Minutes: from August 18, 2004 and August 25, 2004**

**Review Bills/Sign Orders – 6:00 to 6:30 PM**

**Public Comments**

**DEPARTMENT REPORTS**

**Board of Listers**

Report on errors and omissions

**Police/Rescue**

Chief Whitesell's Monthly Department Report

Winhall/Stratton/Stratton Corporation/Winhall Police Department Enforcement

Agreement 09/01/04 to 08/31/05

**Buildings/Maintenance**

Facilities Manager Nancy Oakes reports at the second meeting of the month, September 15, 2004

Part-time Custodial Employee Advertisement

**Roads**

Leave Request

Access Permit for Kugler Rudolph #29 Beaver Street

Access Permit for Barbara Miceli Map 2, Block 1, Lot 3 Kimball Hill Road

Access Permit for George T. Suttie Lots 61 and 62, Deepwoods Road

Access Permit for A. Scott Howe #57 Upper Taylor Hill Road

Aspen Lane update

**Transfer Station**

**Old/Unfinished Business**

**New Business**

Zoning Board of Adjustment Vacancy Advertisement

1<sup>st</sup> reading of the Winhall Appointment Policy

Secession Date with David Lewis, Town Manager, Killington, Vermont

**Administrative**

Fuel Oil for The Mountain School purchased from Kearley, 5,200 gallons at \$1.399 per gallon

Size of Town Report 8.5X11 or 5.5X8.5

Invitation to Pike Industries at 2275 US Route 7 in Danby, Vermont

**Announcements/Correspondence:**

See Attached Reading List

**Executive Session:**

Personnel Contracts

It is assumed that the Selectboard will move to go into executive session

**Adjourn**

**Next Meeting: September 15, 2004 at 6:00 PM Over Please**

**September 1, 2004 Material Reading List for the Board of Selectmen**

**1) VLCT News**

a) Its Fair Time

b) Destroying Dogs; ATVs; Trees in the Public ROW

c) Chapter 117 Update; Act 115 changes to local planning and zoning

d) On-site Sewage Draft Rule Page 18-19 Hearing Tuesday, Sept. 14  
ANR Regional Office, 100 Mineral Street, Springfield, Vermont

**2) Brownfields 2004 Convention St. Louis, Missouri**

**3) VTtrans feasibility of a centralized permit-system, fill in survey?**

**4) Vermont Watershed Grants Application Guide for the Project Year 2005 ANR**

## TOWN OF WINHALL SELECTBOARD

Meeting Minutes for Wednesday, September 1, 2004

---

**PRESENT:** Frank Pinto, Chair; Randy Ameden, Rudy Weaver, Jeff Whitesell (WPD), Lucia Wing, Secretary, Dennis McCarthy, Town Administrator

**ABSENT:** Randy Kimball (WHD)

**IN ATTENDANCE:** George Abel, Ed Molinelli, Bill Simmers (Town Lister), Kate Coleman (Town Treasurer)

**CALL TO ORDER:**

Pinto called the regular meeting to order at 6:00 PM at the Town Hall.

**PAY ORDERS:**

After review, Pinto made the motion to approve pay order(s) #11, 12, 13 as presented; seconded by Weaver; unanimous.

**MINUTES OF PAST MEETING(S):**

After review, Ameden made the motion to approve the meeting minutes of August 18, 2004 and the special meeting minutes of August 25, 2004 as presented; seconded by Weaver; unanimous.

**PUBLIC COMMENT(S):**

*Ed Molinelli* commented that he had found it difficult to get cardboard into the recycling container at the Town Transfer Station; the Selectboard responded a second bin had been ordered.

**BILL SIMMERS: BOARD OF LISTERS REPORT:**

Bill Simmers came before the Selectboard to advise them that Act 68 required all town selectboards throughout the State to approve any changes relative to errors and omissions before the Listers could actually enter those changes. After reviewing the changes, Pinto made the motion approve the corrections as discussed (see attached); seconded by Ameden; unanimous.



**PUBLIC SAFETY (POLICE/FIRE/RESCUE) REPORT:**

After review, the Selectboard signed the Law Enforcement Services agreement 09/01/04 to 08/31/05 between the Town of Winhall, the Town of Stratton, and Stratton Corporation as amended and discussed. As Brian Van Horn was away, Whitesell reported he would submit the monthly police report at the next Selectboard meeting on September 15<sup>th</sup>.

**HIGHWAY & ROADS REPORT:**

1) The Selectboard approved a leave request for Walter Magoon Sept. 11<sup>th</sup>-26<sup>th</sup>. In the future, the SB would ask Randy Kimball to pre-approve all leave requests before it came to them for their review and final approval.

2) The Selectboard reviewed and signed Access Permit(s) for Rudy Kugler #29 Beaver Street; Barbara Miceli, Map 2, Block 1, Lot #3 Kimball Hill Road; George T. Suttic, Lots #61 & #62 Deepwoods Road; and A. Scott Howe #57 Upper Taylor Hill Road.

3) The Town Administrator reported the Aspen Lane agreement was concluded with the exception of some final legal paperwork.

**TOWN TRANSFER STATION REPORT:**

After review, Pinto made the motion to approve hiring the following part-time Transfer Station attendant(s) at a rate of \$12.00 per hour: Scott Bushee, Dave Campbell, and James Young. Seconded by Weaver; unanimous.

**MUNICIPAL BUILDING(S) REPORT:**

After review, the Selectboard approved and signed the part-time custodial advertisement which would run in the Manchester Journal and Vermont News Guide.

**OLD-UNFINISHED BUSINESS:**

The Selectboard reviewed the letter in response to Brian Van Horn's request to address animal control issues, noise, and the 1% option tax. They also discussed safety zones relative to firearms and ways to control noise.

**NEW BUSINESS:**

1) Next the Selectboard reviewed the Winhall Board of Adjustment vacancy advertisement which had been placed in the local papers. They also discussed the Winhall Appointment Policy which would require two (2) readings before approval. The first reading would put the Selectboard on notice and the second reading would include any changes before final approval of the appointment.

2) The Town Administrator reported the Secession Meeting date with David Lewis, Town Manager of Killington was still in the works.

**ADMINISTRATIVE BUSINESS:**

1) After review, the Selectboard signed the fuel oil purchase agreement with Kearly Fuel for 5200 gallons at \$1.399 per gallon for the Mountain School-Community Center.

2) Next the Town Administrator and the Selectboard discussed the size of the Town Report 8.5 x 11 or 5.5 x 8.5. McCarthy would investigate cost. After discussion about re-engineering the handicap ramp at the Town Hall to make it more accessible, McCarthy would investigate that cost as well.

3) After discussing the leased copier at the Mountain School, Pinto made the motion to purchase a print driver for the copier at a cost of \$502.00. Seconded by Weaver; unanimous. A print driver would enable the computers to print directly to the copier. Next Weaver made the motion to have the lock changed on the school library door; seconded by Ameden; unanimous. The Selectboard unanimously agreed to send flowers to Jason Berube and his wife congratulating them on the birth of their son.

**ANNOUNCEMENTS & CORRESPONDENCE:**

Announcements and correspondence included VLCT Newsletter; Brownfields 2004 convention in St. Louis, Missouri; Vtrans feasibility study of a centralized permit-system; Vermont watershed grants application guide for the project year 2005 ANR; and an invitation from Pike Industries to tour their facility in Danby, Vermont.

Selectboard- September 1, 2004- page 4

**EXECUTIVE SESSION:**

At 8:30 PM the Selectboard voted to go into executive session re: personnel contracts. Motion by Pinto; seconded by Ameden; unanimous. At 9:15 PM the Selectboard voted to come out of executive session; motion by Weaver; seconded by Ameden; unanimous.

As there was no other business, the meeting was adjourned at 9:30 PM. Motion by Weaver; seconded by Ameden; unanimous.

**Next Meeting: Wednesday, September 15, 2004 at 6:00 PM.**

Meeting minutes respectfully submitted by,

*Lucia Wing*

Lucia Wing, Secretary  
Winhall Selectboard

*Frank R Pinto*  
FRANK PINTO, CHAIR

*Randy A Ameden*  
RANDY A. AMEDEN

*Rudolph D. Weaver*  
RUDOLPH D. WEAVER

TOWN CLERK'S OFFICE  
WINHALL, VT

**RECEIVED**

Date: Sept 28, 2004 at 9am

Recorded-Book: # SB Page #     

Attest: *Elizabeth Seabury*  
TOWN CLERK

09/11/2004  
04:05 pm

Town of Winhall Tax Administration  
Adjustments Report  
For Tax Year 2005

Page 1 of 2  
Owner

Parcel	Tax Year	Name	Description	Date	Reason	Amount
00194	2005	COHEN MELVIN	Adj. Appl. To Prin. Pmt 1	09/11/04	<u>E &amp; O</u> LAND USE	-1,422.34
01642	2005	DEIBOLD DOUGLAS P. & MERE	Adj. Appl. To Prin. Pmt 1	09/11/04	HS131	15.81
84178	2005	DELLACATO MICHAEL J. FLO	Adj. Appl. To Prin. Pmt 1	09/11/04	CHANGED FROM RES TO <i>NR</i>	58.65
00331	2005	DEROSIER JOHN C. & MAURE	Adj. Appl. To Prin. Pmt 1	09/11/04	<u>E &amp; O</u> REDUCED TO 3550 <del>00</del>	-472.22
00966	2005	GUERNSEY STEPHEN III & U	Adj. Appl. To Prin. Pmt 1	09/11/04	HS131	-3.94
00478	2005	MCMAHON THOMAS & MARGARET	Adj. Appl. To Prin. Pmt 1	09/11/04	<u>E &amp; O</u> INCLUDED IN BI	-2,644.46
00958	2005	MURRAY JULIA B. TRUSTEE	Adj. Appl. To Prin. Pmt 1	09/11/04	<u>E &amp; O</u> LAND USE	-7.55
84101	2005	OLMSTEAD JAN C	Adj. Appl. To Prin. Pmt 1	09/11/04	HS131	27.10
00599	2005	RICHARDS CYNTHIA	Adj. Appl. To Prin. Pmt 1	09/11/04	HS131	10.54
00843	2005	ROBERTS WINTHROP M & PH	Adj. Appl. To Prin. Pmt 1	09/11/04	HS131	8.92
00846	2005	ROBERTS WINTHROP M & PH	Adj. Appl. To Prin. Pmt 1	09/11/04	HS131	-10.20
01713	2005	WIESER HEINZ P. & ANNA M.	Adj. Appl. To Prin. Pmt 1	09/11/04	HS131	76.94

**DECLARATION OF VERMONT HOMESTEAD**

You may own and occupy real property as your principal residence on April 1, 2003. Please see Form DS-55 for an list your property as a homestead. The declaration determines your 2003 annual property tax rate. If you have never filed DS-55, please contact the VT Department of Taxes for assistance.

**2003 EDUCATION PROPERTY TAX PAYMENT**

You may be eligible for a payment towards this year's school property tax on your home. The payment is the difference between the school property tax assessed by the town and the amount of school property tax you should pay based on a percentage of your homestead income. The payment is made in the year one school property tax bill due.

**Eligibility:** You must have been a VT resident for all of 2003 calendar year, not claimed as a dependent by another taxpayer in 2003, and own and occupy the property on April 1, 2004 as your principal residence. Eligibility for a payment generally must be set on a 2003 homestead record.

**Application Form:** Complete Form DS-138, Education Property Tax Payment Application, and Form DS-044, Household Income, are include a copy of your 2003 property tax bill.

**Due Date:** File with the Vermont Department of Taxes on or before December 1, 2003.

**HOMEOWNER PROPERTY TAX REBATE**

You may be eligible for a rebate on last year's actual and assessed property taxes on your home. The rebate is the difference between the property tax assessed by the town and the amount of property tax you would pay based on a percentage of your income.

**Eligibility:** You have been a VT resident for all of 2003 calendar year, not claimed as a dependent by another taxpayer in 2003, own and occupy the property on December 31, 2003 as your principal residence, and household income less \$2,000 of less.

**Claim Form:** Complete Form DS-136, Homeowner Property Tax Rebate, along with Form DS-044, Household Income, and a copy of your property tax bill.

**Due Date:** File with the Vermont Department of Taxes on or before December 1, 2004.

**RENTER REBATE PROGRAM**

**LANDLORDS:** Your tenant may be eligible for a rebate on rent paid in calendar year 2003.

**Landlord Requirements:** If you own a property with more than 4 residential rental units, you must provide a Landlord's Certificate, Form LC-142, to each tenant by January 31st. For 3 or fewer rental residential rental units, Landlord's Certificate is provided upon request of the tenant.

**Information Needed for Landlord's Certificate:** The rent paid in the calendar year adjusted for utilities included or government subsidy. If required by tenant, property taxes *directly or indirectly* paid.

**Landlord's Certificate:** can be obtained by calling 1-866-828-2866 (available in VT) or 802-828-2845 (land or out of state) or send mail request to [help@vt.dhs.state.vt.us](mailto:help@vt.dhs.state.vt.us). Form LC-142 is not available electronically.

**RENT RESTRICTED UNITS**

If your property contains units with rent restrictions under provisions of state or federal law, contact the Vermont Housing Finance Agency at 1-800-339-8866 for information on eligibility for property tax exemption.

**ASSISTANCE AND ORDERING FORMS**

Call 1-866-828-2866 (toll free in VT), or 802-828-2866 (local or out of state).

**VERMONT USE VALUE APPRAISAL PROGRAM**

Owners of agricultural or forest land may be eligible to have their land taxed at the lower use value rather than listed value. At least 20 contiguous acres are required for enrollment, but there are some special eligibility criteria for smaller sized parcels. The listed value of smaller farm buildings is zero for the April 1, 2003 grand list and after. If enrolled property is developed, you pay a land use change tax. *Applications are available at your town clerk's office. For calendar year 2003 enrollment, applications are due by September 1, 2004 and forest or conservation management plans are due by October 1, 2004.* For further information and applications, contact Property Valuation and Review, PO Box 577, Montpelier, VT 05601-1577 or phone 802-828-5861. For forest or conservation management plan requirements, contact the Department of Forest, Parks & Recreation at 802-241-3675.



These programs are available even if you are not required to file a VT personal income tax return.

### DECLARATION OF VERMONT HOMESTEAD

Do you own and occupy this property as your principal residence in your calendar year? Have you filed Form HS-131 to declare your property as a homestead? The declaration determines your 2004 school property tax rate. If you have not yet filed HS-131, please contact the VT Department of Taxes to assemble.

### 2004 EDUCATION PROPERTY TAX PAYMENT

You may be eligible for a payment towards this year's school property tax on your home. The payment is the difference between the school property tax assessed by the town and the maximum school property tax you should pay based on a percentage of your household income. The payment is made in the year the school property tax is due.

**Eligibility:** You must have been a VT resident for all of 2003 calendar year, not claimed as a dependent by another taxpayer in 2003, and use and occupy the property on April 1, 2004 as your principal residence. Eligible for a payment generally pays out a 288,340 household income.

**Application Form:** Complete Form HS-132, Education Property Tax Payment Application, and Form HS-133, Household Income and include a copy of your 2003 property tax bill.

**Due Date:** File with the Vermont Department of Taxes on or before December 1, 2004.

### HOMEOWNER PROPERTY TAX REBATE

You may be eligible for a rebate on last year's school and municipal property taxes on your home. The rebate is the difference between the property tax assessed by the town and the maximum property tax you should pay based on a percentage of your income.

**Eligibility:** You have been a VT resident for all of 2003 calendar year, not claimed as a dependent by another taxpayer in 2003, own and occupy the homestead on December 31, 2003 as your principal residence, and household income is \$42,500 or less.

**Claim Form:** Complete Form HS-130, Homeowner Property Tax Rebate Claim, Form HS-134, Household Income, and include a copy of your 2003 tax bill.

**Due Date:** File with the Vermont Department of Taxes on or before December 1, 2004.

### RENTER REBATE PROGRAM

**LANDLORD:** Your tenant may be eligible for a rebate on rent paid in calendar year 2004.

**Landlord Requirements:** If you own a property with more than 1 residential rental units, you must provide a Landlord's Certificate, Form LC-142, to each tenant by January 31st. For 2 or fewer total residential rental units, Landlord's Certificate is provided upon request of the tenant.

**Information Needed for Landlord's Certificate:** The rent paid in the calendar year adjusted for utilities included or inclusion subsidy. If requested by tenant, property taxes, if applicable, included unit.

**Landlord's Certificate:** can be obtained by calling 1-800-828-2865 or call town or city or 802-828-2865 (local or out of state) or send written request to [vt.us@dm.vt.gov](mailto:vt.us@dm.vt.gov). Form LC-142 is not available over the county.

### RENT RESTRICTED UNITS

If your property contains units with rent restrictions under provisions of state or federal law, contact the Vermont Housing Finance Agency at 1-800-828-5806 for information on eligibility for property tax exemption.

### ASSISTANCE AND ORDERING FORMS

Call 1-888-828-2865 (toll free in VT) or 802-828-2865 (local or out of state).

### VERMONT USE VALUE APPRAISAL PROGRAM

Owners of agricultural or forest land may be eligible to have their land valued at the lower use value rather than forest value. At least 25 contiguous acres are required for enrollment, but there are some special eligibility criteria for smaller sized parcels. The listed value of enrolled acre buildings is zero for the April 1, 2003 grand list and after 1st enrolled property is developed, you pay a land use change tax. Application forms are available at your town clerk's office. For calendar year 2005 enrollment, applications are due by September 1, 2004 and forest or conservation management plans are due by October 1, 2004. For further information and applications, contact Property Valuation and Review, PO Box 1511, Montpelier, VT 05601-1511 or phone 802-828-5861. For forest or conservation management plan requirements contact the Department of Forest, Parks & Recreation at 802-241-5675.

## TOWN OF WINHALL SELECTBOARD

Meeting Minutes for Wednesday, September 15, 2004

---

**PRESENT:** Frank Pinto, Chair; Randy Ameden, Rudy Weaver, Jeff Whitesell (WPD), Randy Kimball (WHD), Lucia Wing, Secretary, Dennis McCarthy, Town Administrator

**ABSENT:** None

**IN ATTENDANCE:** Ed Molinelli, Kate Coleman (Town Treasurer), Bill Simmers (Town Lister); then Steve Avison, Stuart & Elton Coleman, Peggy & Vern Jenks, Tamatha & Steve Blanchard, Scott Bushee, Bob Sheridan, Dan Kilburn, Tim Apps, and Dave Simonetti (VAST); then Bob Vail (Industrial Society), Nancy Oakes, and Randee & Jason Berube.

**CALL TO ORDER:**

Pinto called the meeting to order at 6:00 PM at the Town Hall.

**PAY ORDERS:**

After review, Pinto made the motion to approve pay order(s) #14, 15, 16 as presented; seconded by Weaver; unanimous.

**MINUTES OF PAST MEETING(S):**

After review, Ameden made the motion to approve the meeting minutes of September 1, 2004 as amended; seconded by Weaver; unanimous.

**PUBLIC COMMENT(S):**

1) *Members of VAST (see above)* came before the Selectboard asking them to reopen Kendall Farm Road to snowmobiles. *Tim Apps* reported that Snow Valley had recently been privately purchased and no longer would be available for destination parking to the VAST snowmobile trails. Kendall Farm Road would become the major sled launching area. The Selectboard asked *Vern Jenks* (VAST representative) to come back to them with a proposal including all proposed restrictions and signage, and they would revisit reopening the road.

2) *Sonia Meyer letter:* Next the Selectboard read a letter from Sonia Meyer and residents on Kendall Farm Road voicing concerns relative to ATV and



dirt bike traffic and noise at the sand pit at the end of Kendall Farm Road. Meyer and residents were concerned about the excessive noise especially on weekends, speeding on Kendall Farm Road, and other safety issues. Meyer suggested restricting use of the old dump to residents only and/or issuing permits to vehicles using the area. It was not Meyer's intent to close the pit or prevent local residents from using it. She and other residents on Kendall Farm wanted the noise and traffic controlled better. After reviewing the letter and listening to members of the public present, the Selectboard agreed to immediately increase police visibility on Kendall Farm Road, especially on weekends, and put up posted signs forbidding ATV's or dirt bikes on the Town road portion of Kendall Farm.

**WINHALL INDUSTRIAL SOCIETY REPORT:**

Bob Vail came before the Selectboard to report that even though the Bondville Fair had done well financially over the last couple of years, to survive, the Fair needed many more volunteers or it would begin to go downhill. Vail suggested the Industrial Society write a letter to all the residents in Winhall asking for volunteers. The Selectboard agreed Vail should write the letter, and the Town would cover the cost to mail it to everyone on the Grand List.

**BOARD OF LISTERS REPORT:**

After discussion, Pinto made the motion to approve the tax rate change as follows: Lot #8 owned by Joyce Ameden readjusted from \$30,000 to \$15,000; seconded by Weaver; unanimous (Randy Ameden recused himself from the vote). Ameden asked the Selectboard if she could pay that tax bill late as it had just been readjusted late; she also stated she had received no tax bill on one of the parcels she owned in Winhall. Simmers advised her she would have to pay the readjusted tax bill on time; however, he would check with the State about when to pay the tax bill she had not received.

**PUBLIC SAFETY (POLICE/FIRE/RESCUE) REPORT:**

Chief Whitesell and the Selectboard reviewed the August monthly police report including traffic tickets and warnings, law incidents in Winhall and Stratton, and police assists outside of Winhall. Whitesell reported the Intrepid was having mechanical problems, and he had sent it back to the

dealer for repairs; fortunately it was still under warranty. Whitesell also described a theft on Deer Yard Road.

**HIGHWAY & ROADS REPORT:**

1) As Stratton Gardens had abided by all Town highway requests, the Selectboard signed Access Permit(s) for Stratton Gardens- Lot(s) #49, #52-54, #57 & #35.

2) Kimball reported Town road paving was complete and the check issued; he also reported he was investigating salt prices which had risen significantly. Kimball reported that Pat Salo was interested in purchasing the used culvert from the French Hollow Road project which was now located in the sand pit. The Selectboard asked Kimball to have Salo come back with an offer. Also a crosswalk between the Winhall Market and the Post Office had been approved by the State.

3) To keep it consistent, the Selectboard agreed to replace and pay for all stolen or damaged 911 road signs even if the sign was private and servicing only two (2) dwellings.

4) Next Kimball and the SB discussed throwing up the section of road in Snow Valley which the new owner had gated; Kimball stated the owner had left keys with the highway, police, and fire department(s) to access the pond for emergency purposes. Kimball would discuss options with the new owner re: the Town throwing up the road.

**TOWN TRANSFER STATION REPORT:**

After review, the Selectboard agreed to additional security lighting on timers at the recycling areas and surrounding buildings. Kimball reported Springfield Fencing had given him a quote of \$7,181 for new fencing at the Transfer Station; he would get quotes for a gate as well.

**MUNICIPAL BUILDING(S) REPORT:**

1) The Selectboard approved the purchase of a water reel for the school at a cost of \$2,550. Motion by Pinto; seconded by Ameden; unanimous.

2) Oakes reported the area to install the generator had been flagged; Wes

Ameden would continue with winter maintenance under the new terms as discussed and approved by the Selectboard; a recycling container for bottles and cans would be placed by the pavilion; and to date three (3) individuals had applied for the part-time custodial position. Oakes asked the Selectboard about having a temporary sandwich board at the pavilion announcing "reserved" when private functions like reunions or parties were taking place; the SB agreed.

**OLD-UNFINISHED BUSINESS:**

After review, Pinto made the motion to approve the Winhall Appointment Policy as amended and discussed; seconded by Weaver; unanimous. Also the Selectboard make the following appointments: Lucia Wing, Secretary to the Boards; Estelle Schwartz, Council On Aging; Paul Molinelli and Ray Gutfroff, Winhall Planning Commission; and Dave Glabach, Zoning Board of Adjustment. Motion by Pinto; seconded by Weaver; unanimous.

**NEW BUSINESS:**

The Secession Meeting with David Lewis, Town Manager of Killington was scheduled for Tuesday, September 21, 2004 at 6:30 PM at the Town Hall.

**ADMINISTRATIVE BUSINESS:**

1) After review, the Selectboard signed the amendment to the Municipal Services Agreement between the Town of Winhall and Stratton Corporation. Motion by Pinto; seconded by Ameden; unanimous. The revised agreement relieved Stratton from their obligation to build passing lanes on the Access Road; as a result, the Town of Winhall would be paid by the Stratton Corporation in two (2) installments: Payment (1)=\$515,000; Payment (2)= \$196,000. After signing, the agreement would be sent forward for Act 250 approval.

2) The Town Administrator reported there would be a VLCT health screening scheduled for Tuesday, September 28<sup>th</sup> at the Town Hall.

Selectboard- September 15, 2004- page 5

**ANNOUNCEMENTS & CORRESPONDENCE:**

Announcements and correspondence included an invoice for the PD Law Enforcement Agreement; WSWD Board of Supervisors minutes, draft of financial statements, and Transfer Station Operating training series; letter form insurance (ISO) to Fire Chief Hal Coleman; letter from U1st; Vermont Land Trust/Vermont at the Crossroads; and Secretary of State opinions for September 2004.

**EXECUTIVE SESSION:**

At 9:05 PM the Selectboard voted to go into executive session re: personnel contracts. Motion by Pinto; seconded by Ameden; unanimous. At 10:00 PM the Selectboard voted to come out of executive session; motion by Weaver; seconded by Ameden; unanimous.

As there was no other business, the meeting was adjourned at 10:05 PM. Motion by Weaver; seconded by Ameden; unanimous.

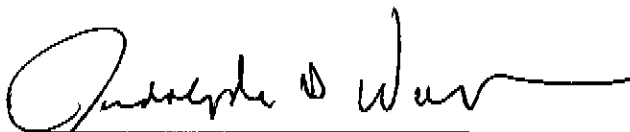
**Next Meeting: Wednesday, October 6, 2004 at 6:00 PM.**

Meeting minutes respectfully submitted by,

Lucia Wing, Secretary  
Winhall Selectboard

  
FRANK PINTO, CHAIR

  
RANDY A. AMEDEN

  
RUDOLPH D. WEAVER

TOWN CLERK'S OFFICE  
WINHALL, VT

RECEIVED

Date: October 12, 2004 at 9:00

Recorded-Book: # 43 Page #

Attest:   
STEPHANIE J. KELLY  
TOWN CLERK



# WINHALL POLICE & RESCUE

P.O. Box 139  
Bondville, VT 05340



*Jeffery L. Whitesell*  
*Chief of Police & Rescue*

## WINHALL POLICE & RESCUE MONTHLY REPORT AUGUST 2004

INCIDENT	WINHALL	STRATTON	TOTALS
ACCIDENTS/MV	3	1	4
ALARMS	25		25
ANIMAL PROB	1		1
AGENCY ASST.*	4	1	5
BURGLARY	1		1
CITIZEN ASSIST	3		3
911 HANGUPS	1		1
LITTERING	1		1
MEDICAL	3	1	4
MV COMPLAINTS	4	2	6
MV CRIMINAL (LIC)	1		1
NOISE DISTURB.	2	1	3
PARKING PROBLEM	1		1
SUSPICIOUS	2	1	3
THEFT	2	2	4
TRESPASSING	2		2
VANDALISM	1		1
WELFARE CHECK	1		1
TOTAL INCIDENTS	58	9	67
TICKETS/SPEED	3		3
OTHER	2	1	3
WARNINGS/SPEED	15	1	16
OTHER	4		4
TOTAL TICKETS/WARNINGS	24	2	26
MONTHLY TOTALS	82	11	93

SONIA MEYER

KENDALL FARM ROAD.

September 12, 2004

This concerns the old town dump turned racetrack.

Unfortunately I will be out of town on the 15<sup>th</sup> of September at the time of the town meeting.

Since I last talked to you things have gotten worse on the old dump. The latest was a father with two young children, not older than 6, on mini dirt bikes traveling down the road as well, which I stopped. Then whole groups of out-of-staters dressed in swimming trunks on enormous three wheel machines, racing like maniacs, partly down the road as well, and so on and so on. Literally caravans of pickups loaded with dirt-bikes, most of them from out of state. I have chased those that actually also raced down Kendall Farm Road off. They were apologetic, but the problem is that racetrack is not even safe. It is very rugged, and should one of those children or teenagers get hurt or God-forbid killed, I would not be surprised that the town could very well find itself sued for lots of money.

When it was just our local people having some fun there, it was never a problem. It was not that often, and there isn't

that much to do in Bondville, so I certainly don't want to spoil their fun, so here are some of my suggestions.

Use of that dump by recreational vehicles should be by permits only. There should be set times and days, to be discussed and determined. Permits should be issued, with very few exceptions to local homeowners only. They should sign a liability release form (I still have some of those from my riding school, whose text and legal phrases could be used.) Fines should be levied of up to \$ 500.- for use without permit.

I am handing this letter over to Lucia Wing, and will try to get some signatures of people on the road before I leave for Boston.

With friendly greetings,

*Sonia Meyer*  
Sonia Meyer

*Herbert Kowalski*  
*Marianne Kantor*  
*Lucia Wing*

*Claude O. Robling*  
*John Bell*

*Jackie Dill*  
*Elizabeth C. Cushman*  
*Andrew S. Cushman*

**Town of Winhall  
Administrators Office**  
PO Box 420 Bondville, VT 05340  
TEL 802-297-2119 FAX 802-297-2177

**Town of Winhall Select Board Special Meeting**

**Tuesday, September 7, 2004**

**Agenda**

**Special Meeting at Winhall Town Hall**

**Call To Order: 6:30 PM**

**Executive Session:**

Personnel Issues

It is assumed that the Selectboard will move to go into executive session

**Adjourn**

**Next Regular Meeting: September 15, 2004 at 6:00 PM**

TOWN CLERK'S OFFICE  
WINHALL, VT

**RECEIVED**

Date: 09-13-2004 at 9:00 AM

Recorded-Book: # 35 Page

Attest:

*[Signature]*  
TOWN CLERK



**WINHALL SELECTBOARD  
BONDVILLE, VERMONT 05340**

Special Meeting of Tuesday, September 7, 2004

---

**PRESENT:** Frank Pinto, Randy Ameden, Rudy Weaver, Marcel Gisquet, Tom McMahon, Sandy Mackinnon, Stuart Fause, Lucia Wing, Secretary, Dennis McCarthy, Town Administrator

**CALL TO ORDER:**

Frank Pinto opened the special meeting at 6:35 PM. Invited by the Selectboard to attend the special meeting were Marcel Gisquet, Chair and Tom McMahon, Vice-Chair (Winhall Planning Commission); Sandy Mackinnon, Chair and Stuart Fause, Vice-Chair (Winhall Zoning Board of Adjustment); and Lucia Wing, Secretary to the Boards and Dennis McCarthy, Town Administrator.

**EXECUTIVE SESSION:**

At 6:40 PM Pinto made the motion to go into executive session re: zoning issues; seconded by Ameden; unanimous. At 7:30 PM Ameden made the motion to come out of executive session; seconded by Weaver; unanimous.

The Board(s) suggested the following:

When a transfer tax return was filed, the Town Clerk would send a welcome letter and zoning package to the purchaser(s) informing them of the zoning rules and regulations of the Town. The Town Administrator would draft a welcome letter, and the Town Clerk would investigate what should be included in the package.

Meeting minutes respectfully submitted by,

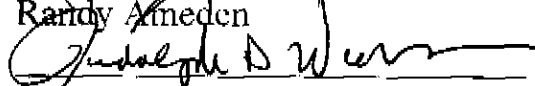
Lucia Wing, Secretary



Frank Pinto



Randy Ameden



Rudolph Weaver

**Town of Winhall Select Board Meeting  
September 15, 2004  
Agenda**

**Call To Order: Meeting begins at 6:00 PM and adjourns at approximately 9:00 PM  
Approval of Minutes: from September 1, 2004 and September 7, 2004  
Review Bills/Sign Orders – 6:00 to 6:30 PM**

**Public Comments**

**DEPARTMENT REPORTS**

**Board of Listers**

Report on errors and omissions

**Winhall Industrial Society**

Bob Vail Local mailing for Volunteers

**Police/Rescue**

Chief Whitesell's Monthly Department Report-first meeting of the month

**Buildings/Maintenance**

Facilities Manager Nancy Oakes report

Part-time Custodial Employee Advertisement

**Roads**

Access Permit for Stratton Gardens lot 53-54

Access Permit for Stratton Gardens lot 52

Access Permit for Stratton Gardens lot 49

Access Permit for Stratton Gardens lot 57

Access Permit for Stratton Gardens lot 35

Crosswalk between Winhall Market and US Post Office

911 Road Name Signs – when does Town replace at no charge

Used Culvert from French Hollow

**Transfer Station**

Lights at Recyclable Area and Surrounding Area

Keys at Transfer Station Changed – Information

**Old/Unfinished Business**

2<sup>nd</sup> reading of the Winhall Appointment Policy

Appointments of Town Officers

Noise Complaints-Kendall Farm Road

**New Business**

Secession Date with David Lewis, Town Manager, Killington, Tuesday, September 21,  
2004, 6:30 PM Winhall Community Center

Winhall School Board

**Administrative**

Municipal Service Agreement between Winhall Town and Stratton Corporation

VLCT Health Screening for Tuesday, September 28, 2004 Town Hall 9:30 PM

**Announcements/Correspondence:**

See Attached Reading List

**Executive Session:**

Personnel Issues - Contracts

It is assumed that the Selectboard will move to go into executive session

**Adjourn**

**Next Meeting: October 6, 2004 at 6:00 PM**

**Over Please**

**September 15, 2004 Material Reading List for the Board of Selectmen**

- 1) Invoice for PD Law Enforcement Agreement
- 2) Windham Solid Waste District Board of Supervisors Minutes
- 3) Draft Windham Solid Waste Management District Financial Statements
- 4) Letter from Insurance ISO to Chief Coleman
- 5) WSWMD Transfer Station Operator Training Series
- 6) Letter from U1st
- 7) Vermont Land Trust/Vermont at the Crossroads
- 8) Secretary of State Opinions September 2004

**Town of Winhall Select Board Special Meeting**

**Thursday, October 28, 2004**

**Agenda  
Special Meeting at Snow Valley Road**

**Call To Order: Approximately 12:00 PM Noon**

**Ownership of Snow Valley Road**

The Town will discuss the gating of Snow Valley Road with Mr. Chris Franco new owner of Snow Valley.

Adjourn

Next Regular Meeting: November 3, 2004 Starting at 6:00 PM

**TOWN CLERK'S OFFICE  
WINHALL, VT**

**RECEIVED**

Date: 10/28/04 9:00 AM

Recorded Book # 33 Page #

Attest: [Signature]  
TOWN CLERK

**Town of Winhall Select Board Regular Meeting**

**Wednesday, October 6, 2004**

**Agenda**

**Supplement to Minutes of Regular Meeting**

Voted to go into Executive Session at 8:30 PM; Chairman Pinto made the motion; seconded by Vice Chairman Ameden; motion passed, unanimous

**Executive Session:**

Personnel Issues - Employment

It is assumed that the Selectboard will move to go into executive session

Voted to come out of Executive Session at 8:45 PM; Member Weaver made the motion; seconded by Vice Chairman Ameden; motion passed, unanimous

**SUPPLEMENTAL MINUTES FOR WEDNESDAY, OCTOBER 06, 2004**

Chairman Pinto moved to have two signs installed on Kendall Farm Road, 1) "No Unregistered Vehicles Beyond This point Including Kendall Farm Road" 2) "NO Unregistered Vehicles on Kendall Farm Road"; Seconded by Member Weaver; motion carried, unanimous.

Vice Chairman Ameden moved to hire David Campbell for the part-time custodial position at the Mountain School; Seconded by Member Weaver; motion carried, unanimous.

Chairman Pinto moved to increase the mileage allotment from \$.31 per mile to \$.35 per mile; seconded by Member Weaver; discussion: because of the increase in fuel prices, and that the Town employees have not abused the ability to be reimbursed for mileage the increase was accepted; motion carried, unanimous.

Chairman Pinto moved to have the Town Administrator research and develop a policy that would address a Town Employee holding public office as a Town Official in the Town of Winhall; seconded by Member Weaver; motion carried, unanimous

**ADJOURNMENT:**

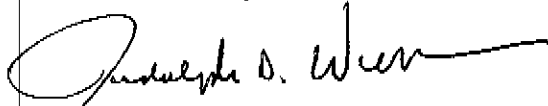
Chairman Pinto moved to adjourn; seconded by Member Weaver; motion carried, unanimous. Board adjourned at 9:00 PM.

**Next Regular Meeting: October 20, 2004 at 6:00 PM**

**Respectfully Submitted: Dennis C. McCarthy, Town Administrator**

  
Frank Pinto, Chairman

  
Randy Ameden, Vice Chairman

  
Rudolph Weaver, Member

**TOWN CLERK'S OFFICE  
WINHALL, VT**

**RECEIVED**

Date: 10/06/04 at 9am

Recorded Book: # 55 Page #     

Attest:   
TOWN CLERK

**Town of Winhall Select Board Meeting  
October 06, 2004**

**Agenda**

**Executive Session Personnel Issues – Interviews – 5:00 PM to 6:00 PM**  
It is assumed that the Selectboard will move to go into executive session

**Call To Order: Meeting begins at 6:00 PM and adjourns at approximately 9:00 PM**

**Approval of Minutes: from September 7, 2004 and September 15, 2004**

**Review Bills/Sign Orders – 6:00 to 6:30 PM**

**Public Comments**

**DEPARTMENT REPORTS**

**Police/Rescue**

Chief Whitesell's Monthly Department Report-first meeting of the month

**Buildings/Maintenance**

Facilities Manager Nancy Oakes Monthly Department Report-second meeting of the month

**Roads**

Access Permit for Peter Durgin #457 Rte 30

Access Permit for Walter Hilinshi #4 Signal Hill

Access Permit for D&L Builders/Lot 5/Houston Sub-division/Snow Valley Rd

Access Permit for Hunter Kaltsas French Hollow

Access Permit for Hyman-Beck & Co., Inc. High Meadow Road

Snowflake Road - earth moving operation infringing on

Town Property and 24 Snowflake Road

Snow Valley Road – Gate in Town Right-of-way

**Transfer Station**

Discussion on Staffing of the Transfer Station

Acceptance of Hazardous Waste Day on NOVEMBER 6, 2004, 9:00 AM to 11:00 AM

Fencing at Transfer Station – Springfield Fence Company, Inc.

Advanced Recycling – Steel/Iron revenue \$42.50

Compactor refurbishing

**Old/Unfinished Business**

**New Business**

Start Budgeting Process on October 20, 2004 – special meetings

Town Report Deadline for Articles and Reports from Departments and Organizations –

December 15, 2004

**Administrative**

Annual Municipal Officers' Management Seminars – Rutland October 2004

VLCT Managing - the Municipal Budget Thursday, October 28, 2004 Waterbury, VT

**Announcements/Correspondence:**

See Attached Reading List

**Executive Session:**

Personnel Issues – Employment

It is assumed that the Selectboard will move to go into executive session

**Adjourn**

**Next Meeting: October 20, 2004 at 6:00 PM**

**Over Please**

**October 06, 2004 Material Reading List for the Board of Selectmen**

- 1) Vermont Coalition of Municipalities
- 2) VLCT Rising Property Taxes Reverberate Politically
- 3) VLCT Equalized Property Values are not accurate enough for Taxing
- 4) Developing a Highway Access Policy/Vermont Local Roads Program
- 5) VLCT Catamount Trail Pedometer Challenge
- 6)
- 7)
- 8)
- 9)
- 10)

**Town of Winhall Select Board Special Meeting**

**Tuesday, September 7, 2004**

**Agenda  
Special Meeting at Winhall Town Hall**

**Call To Order: 6:30 PM**

**Executive Session:**

Personnel Issues

It is assumed that the Selectboard will move to go into executive session

**Adjourn**

**Next Regular Meeting: September 15, 2004 at 6:00 PM**

**MINUTES FOR TUESDAY, SEPTEMBER 7, 2004**

**PRESENT: Frank Pinto, Randy Ameden, Rudolph Weaver, John Wilson, Dennis C. McCarthy, Town Administrator**

**CALL TO ORDER:**

Frank Pinto opened the second half of the special meeting at 7:50 PM. Invited by the Selectboard to attend the second half of the special meeting were John Wilson, and Dennis C. McCarthy, Town Administrator.

**EXECUTIVE SESSION:**

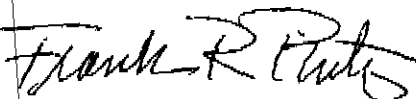
At 7:52 PM Frank Pinto made the motion to go into executive session re: Contract negotiation; seconded by Rudolph Weaver; unanimous. At 9:50 PM Randy Ameden made the motion to come out of executive session; seconded by Rudolph Weaver; unanimous.

Randy Ameden moved to hire John Wilson and his firm RJC Investigations of Smithtown, New York for consulting services; Seconded by Rudolph Weaver; unanimous.


**ADJOURNMENT:**

Frank Pinto moved to adjourn; seconded by Rudolph Weaver; unanimous. Board adjourned at 9:54 PM.

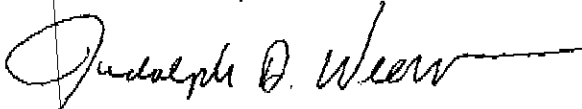
Respectfully Submitted:  Dennis C. McCarthy, Town Administrator



Frank Pinto, Chairman



Randy Ameden, Vice Chairman



Rudolph Weaver, Member



**FREE  
HAZARDOUS WASTE COLLECTION DAY  
SATURDAY, NOVEMBER 6, 2004**

**RAIN or SHINE  
9:00 AM – 11:00 AM**

**WINHALL TRANSFER STATION AND RECYCLING CENTER  
66 OLD TOWN ROAD, WINHALL, VERMONT**

**FOR  
WINHALL  
AND**

**WINDHAM COUNTY SOLID WASTE MANAGEMENT DISTRICT RESIDENTS  
FROM:**

Brattleboro – Brookline – Dover – Dummerston – Guilford – Halifax – Jamaica – Marlboro – Newfane  
Putney – Readsboro – Stratton – Townsend – Vernon – Wardsboro – Whiting ham – Wilmington  
Winhall

**WHAT TO BRING:** Any substance with labels that say CAUSTIC, TOXIC, CORROSIVE, POISON,  
FLAMMABLE, DANGER, WARNING OR CAUTION.

**From the Workbench:**

Oil based Paint  
Stains & Varnishes  
Wood Preservatives  
Paint Strippers//Thinners  
Solvent Adhesives  
Lighter Fluid  
NICAD Batteries

**From the House:**

Rubber Cement, Airplane Glue  
Fiberglass Resins  
Photo Chemicals  
Chemistry Sets  
Furniture Polish  
Floor & Metal Polish  
Oven Cleaner  
Drain & Toilet Cleaner  
Spot Remover  
Rug & Upholstery Cleaner  
Hobby Supplies, Artist Supplies  
Fluorescent Fixture/Bulbs  
Mercury Products

**WHAT NOT TO BRING!!**

Empty Containers/Trash  
Radioactive Waste,  
Smoke Detectors  
Infectious & Biological Wastes  
Propane Cylinders  
Pressurized Cylinders  
Ammunition, Fireworks, Explosives  
Fire Extinguishers  
Prescription Medicines/Syringes  
Dried and Hardened Latex Paint  
Auto and Alkaline Batteries  
Latex Paint

**From the Garage:**

Fuels/Gasoline/Kerosene  
Antifreeze  
Contaminated Motor Oil  
Engine Degreaser  
Brake Fluid  
Carburetor Cleaner  
Transmission Fluid  
Car Wax/Polishes  
Driveway Sealer  
Roofing Tar  
Creosote

**From the Yard:**

Poisons, Insecticides, Fungicides  
Chemical Fertilizers  
Weed Killers  
Moth Balls  
Flea Control Products  
Pesticides  
Pool Chemicals  
Muriatic Acid  
No-pest Strips

**HOW CAN I SAFELY TRANSPORT  
THESE HAZARDOUS MATERIALS???**

Leave material in original containers.  
Tighten caps and lids.  
Sort and pack separately: oil paint,  
pesticides and household cleaners.  
Pack containers in sturdy upright boxes  
and pad with newspaper.  
**NEVER MIX CHEMICALS**  
Pack your car and drive directly to the site.  
**NEVER SMOKE** while handling hazardous  
material

**FOR MORE INFORMATION CONTACT:** Winhall Town Administrator at 802 297 2119 or  
townhall@adelphia.net

**THIS COLLECTION IS OPERATED BY:** Windham County Solid Waste Management District and the  
Town of Winhall

**FREE  
HAZARDOUS WASTE COLLECTION DAY  
SATURDAY, NOVEMBER 6, 2004**

**RAIN or SHINE**

**9:00 AM – 11:00 AM**

**WINHALL TRANSFER STATION AND RECYCLING CENTER  
66 OLD TOWN ROAD, WINHALL, VERMONT**

**FOR  
WINHALL  
AND**

**WINDHAM COUNTY SOLID WASTE MANAGEMENT DISTRICT RESIDENTS  
FROM:**

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Putney – Readsboro – Stratton – Townsend – Vernon – Wardsboro – Whitingham – Wilmington  
Winhall**

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Furniture Polish  
Floor & Metal Polish  
Oven Cleaner  
Drain & Toilet Cleaner  
Spot Remover  
Rug & Upholstery Cleaner  
Hobby Supplies, Artist Supplies  
Fluorescent Fixture/Bulbs  
Mercury Products

**WHAT NOT TO BRING!!**

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Radioactive Waste,  
Smoke Detectors  
Infectious & Biological Wastes  
Propane Cylinders  
Pressurized Cylinders  
Ammunition, Fireworks, Explosives  
Fire Extinguishers  
Prescription Medicines/Syringes  
Dried and Hardened Latex Paint  
Auto and Alkaline Batteries  
Latex Paint

**From the Garage:**

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Antifreeze  
Contaminated Motor Oil  
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Brake Fluid  
Carburetor Cleaner  
Transmission Fluid  
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Driveway Sealer  
Roofing Tar  
Creosote

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Chemical Fertilizers  
Weed Killers  
Moth Balls  
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Pesticides  
Pool Chemicals  
Muriatic Acid  
No-pest Strips

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**FOR MORE INFORMATION CONTACT:** Winhall Town Administrator at 802 297 2119 or  
townhall@adelphia.net

**THIS COLLECTION IS OPERATED BY:** Windham County Solid Waste Management District and the  
Town of Winhall

Winhall Board of Selectmen  
3 River Road  
PO Box 420  
Winhall, Vermont 05340-0420  
[townhall@adelphia.net](mailto:townhall@adelphia.net)  
802 297 2119 - 802 297 2177 fax

Frank Pinto, Chair  
Randy Armeden, Vice Chair  
Rudolph Weaver, Member

October 20, 2004

Dear Voters and Home Owners of Winhall,

You are receiving this information from your Board of Selectmen because you are a registered voter or a Home Owner here in Winhall. We send you this information so you can prepare yourself for the up coming hazardous waste day on November 6, 2004, to solicit your help with the Bondville Fair and to remind those of you that have not installed your E911 numbers that you are required to do so by law.

There are three pieces of literature that we have enclosed for your viewing. The first piece is a letter from the Bondville Fair requesting that any of you that may have the time and ability volunteer to help out at the Fair. This is a very worthy event and is a lot of fun, so give some time to the Fair and feel good about helping your community.

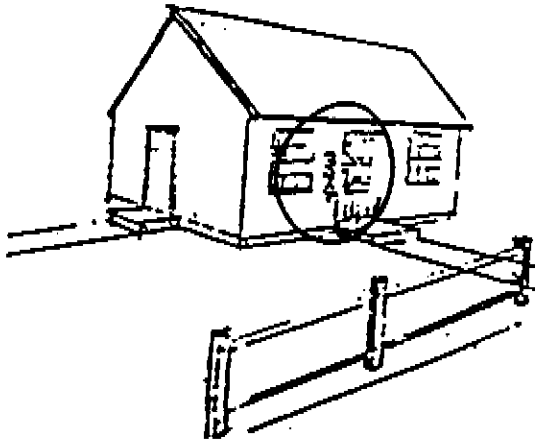
The second piece is information on the upcoming Hazardous Waste Collection Day to be held on November 6, 2004, 9:00 – 11:00 AM at the Winhall Transfer Station located at 66 Old Town Road Winhall. Please gather the acceptable items on this literature and bring them to the Transfer Station. This is a great opportunity to get rid of your hazardous waste and protect yourself, family and the environment. Only residential properties (single units and multiple units) are able to use this free service and a current 2004 Transfer Station Permit is required.

The third and final piece is about installing your E911 numbers; Vermont law requires that all E911 numbers be installed as issued by the Town, and if they are not installed, the Town can issue a stiff penalty. The Town of Winhall does not want to issue fines, however we do want emergency services to be able to find you and your home, with out the numbers, this is near impossible. Don't place yourself and family in jeopardy, install your E911 number now. If you can't find your number, call the Town Clerk at 802 297 2122 ([winclerk@adelphia.net](mailto:winclerk@adelphia.net)) or the Town Administrator at 802 297 1994 ([townhall@adelphia.net](mailto:townhall@adelphia.net)), and they can relay to you the number that has been assigned to your home.

Thank you for taking the time to read this letter and the enclosed literature, we believe you will find this information to be helpful.

Sincerely,  
Town of Winhall Board of Selectmen

## Where to Affix Street Numbers

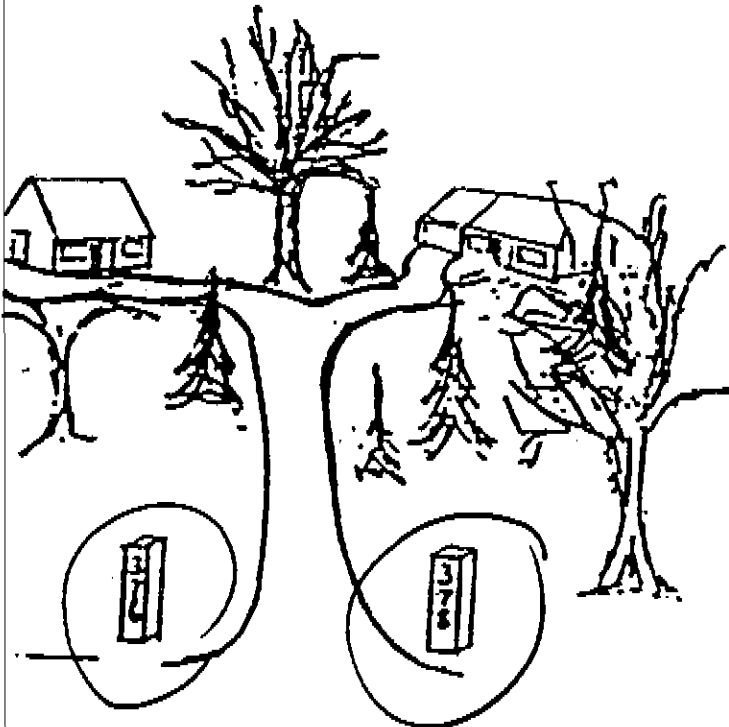
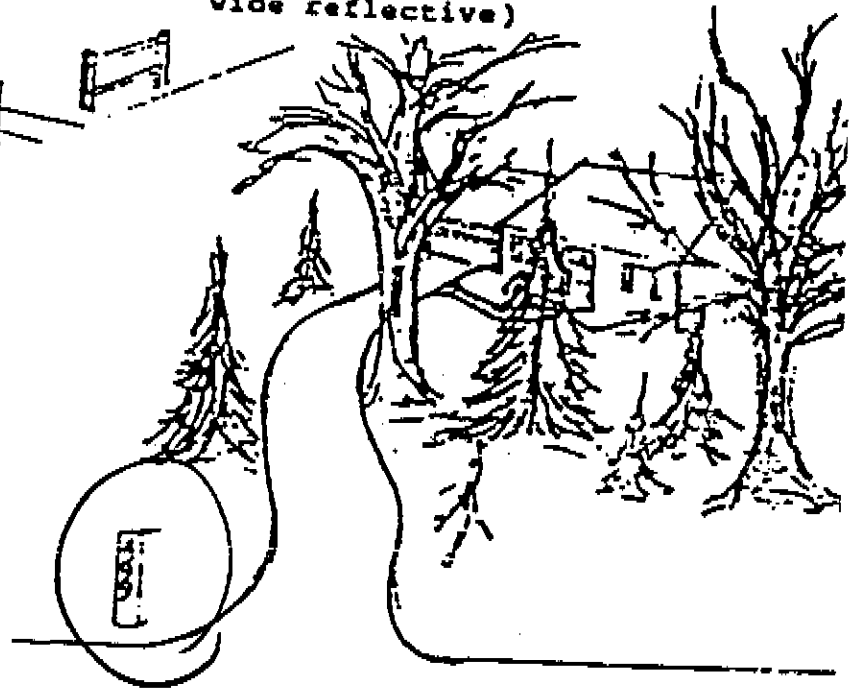


Residence on Street

Numbers on Main Entrance  
(Min. 3" high x 2½"  
wide reflective)

Residence on Back Lot or  
Not Visible From Street

Number on solid post or  
mail box at end of drive-  
way. (Min. 3" high x 2½"  
wide Reflective)



More Than One Residence  
On Back Lot or Not  
Visible From Street.

All numbers on end of  
driveway on solid post or  
mail box. Each structure  
has number at main  
entrance visible from  
driveway. (Min. 2" high  
x 2½" wide Reflective)

# Bondville Fair

WINHALL INDUSTRIAL SOCIETY

P.O. Box 339

Bondville, VT, 05340

Phone: (802) 297-1882

Dear Friend:

We are writing to all Winhall full time and part time residents to alert you to a problem that concerns us all.

The Bondville Fair is the oldest continuous Fair in Vermont. It is run by a very small group of volunteers. The corporate name dates back to the early 1920's and the Fair definitely is not a closed "society". Its beginning has been traced back to 1797. For many years the Fair was a one day presentation, usually held in October so that the year's harvest could be contested and displayed. Post World War II saw the Fair become a two day offering and it assumed its present three day format in 1994. This expansion has been marked not only by a great increase in offerings for the public but also by a most ambitious building program. The latter has included both the Little Red Schoolhouse and the sugar house, a new pole barn for animals, a new stage, new fencing for the track area, new electric service for the entire Fairgrounds and most recently the construction of an authentic covered bridge. If you have attended the Fair recently you certainly are aware of this. And you certainly are aware of the pleasure that the Fair brings to both young and "others".

In spite of all of the building listed above this letter definitely is NOT soliciting funds – indeed all bills to date have been paid. The problem indicated above, rather, is the fact that many of the Fair members are, frankly, getting older and can no longer do the work which they did in the past. Volunteers simply are not coming forward.

There are so many areas where people are needed that the interest of all can be accommodated. Some of these areas are helping with Bingo, selling T-Shirts, parking vehicles and directing traffic, assisting at the gate, helping at the track, relieving people in Floral Hall and Quilt Hall as well as the Pole Barn.

The Fair is always held the weekend just before Labor Day weekend – August 26-28 in 2005. If you are willing to give even a few hours help to perpetuate the Oldest Continuous Fair in Vermont please make your intention known to any Fair member or call 297-1882. ALL are welcome.

Sincerely,

The Bondville Fair



**Town of Winhall**  
**Administrators Office**  
PO Box 420 Bondville, VT 05340  
TEL 802-297-2119 FAX 802-297-2177

November 3, 2004

Mr. Frederick Hartman  
PO Box 677  
Bondville, Vermont 05340-0270

Dear Mr. Hartman,

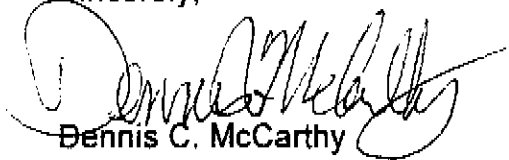
On October 20, 2004 the Winhall Board of Selectmen acted favorably on the recommendation of Mr. William "Sandy" Mackinnon and appointed you to the Winhall Zoning Board of Adjustment.

You need to be sworn in to office by Town Clerk Elizabeth Jenks, after this you may assume your office on the Zoning Board of Adjustment. You will fill the position of Zoning Board Member until 6 30 06. At that time you can ask to be reappointed to the Zoning Board for a three-year term.

The Board of Selectmen thanks you for taking on this most important role for Winhall.

Should you need any information or help from this office please do not hesitate to contact me at 802 297 2119 or [townhall@adelphia.net](mailto:townhall@adelphia.net).

Sincerely,



Dennis C. McCarthy  
Town Administrator

Cc: Mr. William Mackinnon  
Town Clerk Elizabeth Jenks

**Town of Winhall Select Board Meeting**

**October 06, 2004**

**Agenda**

**Executive Session Personnel Issues – Interviews – 5:00 PM to 6:00 PM**

**It is assumed that the Selectboard will move to go into executive session**

**Call To Order: Meeting begins at 6:00 PM and adjourns at approximately 9:00 PM**

**Approval of Minutes: from September 7, 2004 and September 15, 2004**

**Review Bills/Sign Orders – 6:00 to 6:30 PM**

**Public Comments**

**DEPARTMENT REPORTS**

**Police/Rescue**

Chief Whitesell's Monthly Department Report-first meeting of the month

**Buildings/Maintenance**

Facilities Manager Nancy Oakes Monthly Department Report-second meeting of the month

**Roads**

Access Permit for Peter Durgin #457 Rte 30

Access Permit for Walter Hilinshi #4 Signal Hill

Access Permit for D&L Builders/Lot 5/Houston Sub-division/Snow Valley Rd

Access Permit for Hunter Kaltsas French Hollow

Access Permit for Hyman-Beck & Co., Inc. High Meadow Road

Snowflake Road - earth moving operation infringing on

Town Property and 24 Snowflake Road

Snow Valley Road – Gate in Town Right-of-way

**Transfer Station**

Discussion on Staffing of the Transfer Station

Acceptance of Hazardous Waste Day on NOVEMBER 6, 2004, 9:00 AM to 11:00 AM

Fencing at Transfer Station – Springfield Fence Company, Inc.

Advanced Recycling – Steel/Iron revenue \$42.50

Compactor refurbishing

**Old/Unfinished Business**

**New Business**

Start Budgeting Process on October 20, 2004 – special meetings

Town Report Deadline for Articles and Reports from Departments and Organizations –

December 15, 2004

**Administrative**

Annual Municipal Officers' Management Seminars – Rutland October 2004

VLCT Managing - the Municipal Budget Thursday, October 28, 2004 Waterbury, VT

**Announcements/Correspondence:**

See Attached Reading List

**Executive Session:**

Personnel Issues – Employment

It is assumed that the Selectboard will move to go into executive session

**Adjourn**

**Next Meeting: October 20, 2004 at 6:00 PM**

**Over Please**

**October 06, 2004 Material Reading List for the Board of Selectmen**

- 1) Vermont Coalition of Municipalities
- 2) VLCT Rising Property Taxes Reverberate Politically
- 3) VLCT Equalized Property Values are not accurate enough for Taxing
- 4) Developing a Highway Access Policy/Vermont Local Roads Program
- 5) VLCT Catamount Trail Pedometer Challenge
- 6)
- 7)
- 8)
- 9)
- 10)



**Town of Winhall Select Board Regular Meeting**

**Wednesday, October 6, 2004**

**Agenda**

**Supplement to Minutes of Regular Meeting**

Voted to go into Executive Session at 8:30 PM; Chairman Pinto made the motion; seconded by Vice Chairman Ameden; motion passed, unanimous

**Executive Session:**

Personnel Issues - Employment

It is assumed that the Selectboard will move to go into executive session

Voted to come out of Executive Session at 8:45 PM; Member Weaver made the motion; seconded by Vice Chairman Ameden; motion passed, unanimous

**SUPPLEMENTAL MINUTES FOR WEDNESDAY, OCTOBER 06, 2004**

Chairman Pinto moved to have two signs installed on Kendall Farm Road, 1) "No Unregistered Vehicles Beyond This point Including Kendall Farm Road" 2) "NO Unregistered Vehicles on Kendall Farm Road"; Seconded by Member Weaver; motion carried, unanimous.

Vice Chairman Ameden moved to hire David Campbell for the part-time custodial position at the Mountain School; Seconded by Member Weaver; motion carried, unanimous.

Chairman Pinto moved to increase the mileage allotment from \$.31 per mile to \$.35 per mile; seconded by Member Weaver; discussion: because of the increase in fuel prices, and that the Town employees have not abused the ability to be reimbursed for mileage the increase was accepted; motion carried, unanimous.

Chairman Pinto moved to have the Town Administrator research and develop a policy that would address a Town Employee holding public office as a Town Official in the Town of Winhall; seconded by Member Weaver; motion carried, unanimous

**ADJOURNMENT:**

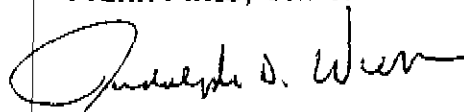
Chairman Pinto moved to adjourn; seconded by Member Weaver; motion carried, unanimous. Board adjourned at 9:00 PM.

**Next Regular Meeting: October 20, 2004 at 6:00 PM**

**Respectfully Submitted: Dennis C. McCarthy, Town Administrator**

  
**Frank Pinto, Chairman**

  
**Randy Ameden, Vice Chairman**

  
**Rudolph Weaver, Member**

## **TOWN OF WINHALL SELECTBOARD**

Meeting Minutes for Wednesday, October 6, 2004

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**PRESENT:** Frank Pinto, Chair; Randy Ameden, Rudy Weaver, Jeff Whitesell (WPD), Randy Kimball (WHD), Lucia Wing, Secretary, Dennis McCarthy, Town Administrator

**ABSENT:** None

**IN ATTENDANCE:** Ed Molinelli, George Abel, Kate Coleman (Town Treasurer), Nancy Oakes

### **EXECUTIVE SESSION:**

At 5:00 PM the Selectboard voted to go into executive session to interview applicants for the police officer position(s) re: WPD. Motion by Pinto; seconded by Ameden; unanimous. At 6:00 PM, the Selectboard voted to come out of executive session; motion by Weaver; seconded by Ameden; unanimous. Pinto announced as of October 6, 2004, the Selectboard had decided to hire Mathew Mosher for the part-time police officer's position providing he passed his caliper requirement and Patrick Ross for the full time police officer's position replacing George Badgley who was resigning as of October 13, 2004. Motion by Weaver; seconded by Pinto; unanimous. The Board further recognized George Badgley's resignation effective on October 13, 2004.

### **CALL TO ORDER:**

Pinto called the regular meeting to order at 6:00 PM at the Town Hall.

### **PAY ORDERS:**

After review, Pinto made the motion to approve pay order(s) #17,18,19 &20 as presented; seconded by Weaver; unanimous.

### **MINUTES OF PAST MEETING(S):**

After review, Ameden made the motion to approve the meeting minutes of September 15, 2004 as amended and the special meeting meetings of September 7, 2004 as corrected; seconded by Weaver; unanimous.

**PUBLIC COMMENT(S):**

(None)

**PUBLIC SAFETY (POLICE/FIRE/RESCUE) REPORT:**

1) Chief Whitesell and the Selectboard reviewed the revised August monthly police report and the September monthly police report including traffic tickets and warnings, law incidents in Winhall and Stratton, and police assists outside of Winhall. The Selectboard noted false alarm calls had increased in August; Whitesell stated the paper work had fallen behind. However, alarm calls had decreased in September.

2) Whitesell reported the Intrepid was back in service with a new engine all paid for under warranty; the State had reimbursed the Town of Winhall \$225 for the WPD's involvement in a drug raid; and all dogs were finally licensed in Winhall.

**HIGHWAY & ROADS REPORT:**

1) After review, the Selectboard signed Access Permit(s) for Peter Durgin, (#457 Route 30); Walter Hilinshi (#4 Signal Hill); D & L Builders (Lot 5- Houston Subdivision Snow Valley Road); Hunter Kaltsas (French Hollow); and Hyman Beck & Co. (High Meadow Road).

2) Next Kimball and the SB continued discussion of the possibility of throwing up the section of road in Snow Valley which the new owner had recently gated without the Selectboard's permission or removing it. If the gate was to remain, the Selectboard would want the Fire Department to have a written easement to access the pond for emergency purposes. Another thought was to have the new owner move the gate further back on his property so the Town would be able to maintain access to the pond. Ameden would discuss it with the Fire Department and get their input and report back to the Selectboard.

3) After discussing the number of new curb cuts going in without permits, the Selectboard agreed to issue a \$250 fine for the first offense; the WPD would issue the ticket. Motion by Pinto; seconded by Weaver; unanimous. The Selectboard agreed to revisit their decision on January 1, 2005 and potentially increase the amount of the fine.

4) Kimball and the Selectboard discussed the earth moving operation which was infringing on the Town's turn-around at #24 Snowflake Road. Kimball reported sanding and haying for erosion control had caused the trees in the Town ROW to be covered with dirt; the dirt needed to be removed or the trees would die. Kimball would look for the stake indicating Town property so the situation could be rectified.

5) Kimball asked the Selectboard if they would have the land across from the Transfer Station surveyed to see exactly how much land the Town owned in light of the State mandated salt shed which would have to be built in the near future.

**TOWN TRANSFER STATION REPORT:**

1) After review by the Selectboard, Pinto made the motion to accept Hazardous Waste Collection Day from 9:00 AM to 11:00 AM on 11/6/04 at the Winhall Transfer Station; seconded by Ameden; unanimous.

2) After review, Pinto made the motion to approve Springfield Fencing's proposal (not to exceed \$7,800) to fence and gate the Transfer Station unless Ameden was able to get a lower quote from another fence company. Seconded by Weaver; unanimous.

3) After discussion, the Selectboard agreed to continue with the part-time staff at the Transfer Station. The Town Administrator reported the advanced recycling revenue for steel and iron was \$42.50; he also reported the compactor had been refurbished.

**MUNICIPAL BUILDING(S) REPORT: (No Report)**

**OLD-UNFINISHED BUSINESS: (None)**

**NEW BUSINESS:**

New business included: to start the budgeting process on October 20, 2004; and to have all Articles and department reports by December 15, 2004. Ameden also pointed out that one of the Articles should include the purchase of a new fire truck for the Town of Winhall.

**ADMINISTRATIVE BUSINESS:**

1) Per the Municipal Services Agreement between the Town of Winhall and Stratton Corporation, the Town of Winhall would be paid by the Stratton Corporation in two (2) installments: Payment (1)=\$515,000 would be paid out within thirty (30) days of Act 250 approval; Payment (2)=\$196,000 would be paid out either when the number of condo units per the MSA had been reached or by January 1, 2008 whichever came sooner.

2) The Town Administrator reported the Annual Municipal Officer's Management Seminar would be held in Rutland on October 2004, and the VLCT's Managing the Municipal Budget on Thursday, October 28, 2004 in Waterbury, Vermont.

3) Secretary Wing reported the Winhall Planning Commission had asked Jerry Driscoll, Zoning Administrator to draft a letter to all businesses and individuals in the Town of Winhall whose signs were out of compliance with the zoning regulations. The letter would give them one (1) year from the date of the new zoning ordinance (March 2, 2004) to comply.

**ANNOUNCEMENTS & CORRESPONDENCE:**

Announcements and correspondence included Vermont Coalition of Municipalities report; VLCT rising property taxes reverberate politically; VLCT equalized property values are not accurate enough for taxing; developing Highway Access Policy/Vermont Local Roads Program; and VLCT Catamount Trail Pedometer Challenge .

**EXECUTIVE SESSION:**

At 8:30 PM the Selectboard voted to go into executive session re: personnel contracts. Motion by Pinto; seconded by Ameden; unanimous. At 8:45 PM the Selectboard voted to come out of executive session; motion by Weaver; seconded by Ameden; unanimous.

Selectboard October 6, 2004- page 5

As there was no other business, the meeting was adjourned at 9:00 PM.  
Motion by Weaver; seconded by Ameden; unanimous.

**Next Meeting: Wednesday, October 20, 2004 at 6:00 PM.**

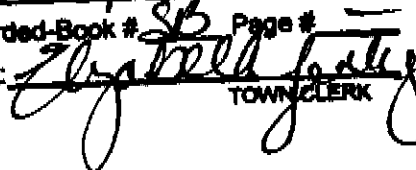
Meeting minutes respectfully submitted by,

Lucia Wing, Secretary  
Winhall Selectboard

  
FRANK PINTO, CHAIR

  
RANDY A. AMEDEN

  
RUDOLPH D. WEAVER

**TOWN CLERK'S OFFICE  
WINHALL, VT  
RECEIVED**  
Date: Nov. 1, 2004 at 9:00 AM  
Recorded-Book # 85 Page # —  
Attest:   
TOWN CLERK



# WINHALL POLICE & RESCUE

P.O. Box 139  
Bondville, VT 05340



*Jeffery L. Whitesell*  
*Chief of Police & Rescue*

## WINHALL POLICE & RESCUE MONTHLY REPORT AUGUST 2004 (Adjusted)

INCIDENT	WINHALL	STRATTON	TOTALS
ACCIDENTS/MV	4	1	5
ALARMS	31	0	31
ANIMAL PROB	1	0	1
AGENCY ASST.*	6	3	9
BURGLARY	2	0	2
CITIZEN ASSIST	2	0	2
911 HANGUPS	3	0	3
LITTERING	1	0	1
MEDICAL	3	1	4
MV COMPLAINTS	7	2	9
MV CRIMINAL (LIC)	1	0	1
NOISE DISTURB.	2	1	3
PARKING PROBLEM	1	0	1
PROPERTY WATCH	3	0	3
SUSPICIOUS	3	1	4
THEFT	2	2	4
VANDALISM	1	0	1
WELFARE CHECK	1	0	1
TOTAL INCIDENTS	73	9	82
TICKETS/SPEED	3	0	3
OTHER	2	1	3
WARNINGS/SPEED	15	1	16
OTHER	4	0	4
TOTAL TICKETS/WARNINGS	24	2	26
MONTHLY TOTALS	97	11	108

\*2 Agency Assists Outside of Territory (Peru, Bennington)



# WINHALL POLICE & RESCUE

P.O. Box 139  
Bondville, VT 05340



*Jeffery L. Whitesell*  
*Chief of Police & Rescue*

## WINHALL POLICE & RESCUE MONTHLY REPORT SEPTEMBER 2004

INCIDENT	WINHALL	STRATTON	TOTALS
ACCIDENTS/MV	1	0	1
ALARMS	23	0	23
ANIMAL PROB	1	0	1
AGENCY ASST	8	0	8
BURGLARY	3	0	3
CITIZEN ASSIST	3	0	3
CITIZEN DISPUTE	1	0	1
DUI	1	0	1
FRAUD	1	0	1
MEDICAL	2	0	2
MV COMPLAINTS	6	1	7
NOISE DISTURB	1	1	2
SUSPICIOUS	2	1	3
THEFT	3	0	3
VANDALISM	1	0	1
VIN CHECK	1	0	1
WELFARE CHECK	3	0	3
TOTAL INCIDENTS	61	3	64
TICKETS/SPEED	3	1	4
OTHER			
WARNINGS/SPEED	6	0	6
OTHER	1	0	1
TOTAL TICKETS/WARNINGS	10	0	10
MONTHLY TOTALS	71	3	74



36 Road to Mill Brook  
Bonswille VT 05340  
Nov 4, 2004

Dear Frank -

Please be advised that as of today,  
Nov 4, 2004, I am resigning my position  
as vice chairman of The zoning Board for  
the Town of Winhall.

Please let me take this opportunity  
to thank the board for the aforementioned  
appointment and support.

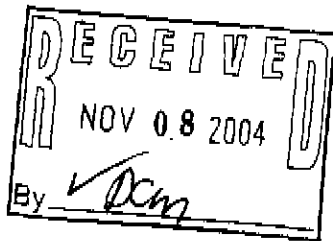
Sincerely,  
Stuart B. Fause

TOWN CLERK'S OFFICE  
WINHALL, VT  
RECEIVED

Date: Nov. 9 2004 at 9:00 AM

Recorded Book # 50 Page #

Attest Elyse J. Sealey  
TOWN CLERK



**Town of Winhall Select Board Meeting  
October 20, 2004  
Agenda**

**Call To Order: Meeting begins at 6:00 PM and adjourns at approximately 9:00 PM**  
**Approval of Minutes: from September 7, 2004 and September 15, 2004**  
**Review Bills/Sign Orders – 6:00 to 6:30 PM**

**Public Comments**

Ms. Jackie Dill – Kendall Farm Road

**DEPARTMENT REPORTS**

**Police/Rescue**

Chief Whitesell's Monthly Department Report-first meeting of the month

**Buildings/Maintenance**

Facilities Manager Nancy Oakes Monthly Department Report-second meeting of the month

**Roads**

**Snowflake Road Survey**

Snow Valley Road – Gate in Town Right-of-way meeting on Wednesday October 27, 04  
Receipt of new dump truck

**Transfer Station**

Fencing at the Transfer Station

Personnel to work HHW Day on November 6, 2004

Access Permit for

Dan Peloquin

168 Acres Behind

Old Capen Farm

**Old/Unfinished Business**

Wordage on signs for Kendall Farm Road

**New Business**

Start Budgeting Process on October 20, 2004 – special meetings

Town Report Deadline for Articles and Reports from Departments and Organizations –  
December 15, 2004

Sale of Large Culvert at pit area, pending on permits

Appointment of applicant to Zoning Board of Adjustment

**Administrative**

Cartographic Associates, Inc. signing of 2005 Maintenance Contract

Mountain School request for funds for the installation and materials needed for a P. A.  
system for the Community Center/Multi purpose room and a telephone for the Computer Lab  
Holiday Events

**Announcements/Correspondence:**

See Attached Reading List

**Adjourn**

**Next Meeting: November 3, 2004 at 6:00 PM**

**Over Please**

## **October 20, 2004 Material Reading List for the Board of Selectmen**

- 1) Bennington Banner articles – “ATV law is overturned” – “Pownal gun law is shot down”
- 2) VLCT October News “Preparing the Budget” – “Emergency Responder Liability” – “FLSA Update” – “Budget Discretion; Speed limit signs” – “Budgeting for Technology”
- 3) ANR – Frank & Debra Dal Lago amend previous permit by relocating the house, well, septic tank and pump chamber located on Upper Taylor Road in Winhall
- 4) Vermont Coalition of Municipalities information letter
- 5) Insurance papers from ISO dealing with the Fire Company and the fire suppression rating schedule
- 6) Forest Plan Revision News
- 7) Opinions office of the Vermont Secretary of State October 2004
- 8) VLCT Group Services Annual Report
- 9) VLCT Candidate Bulletin – Real Democracy in Vermont
- 10) Managing the Municipal Budget – Thursday, October 28, 2004 - Waterbury

## **TOWN OF WINHALL SELECTBOARD**

### **Meeting Minutes for Wednesday, October 20, 2004**

**PRESENT:** Frank Pinto, Chair; Randy Ameden, Rudy Weaver, Jeff Whitesell (WPD), Lucia Wing, Secretary, Dennis McCarthy, Town Administrator, Nancy Oakes (Buildings)

**ABSENT:** Randy Kimball (WHD)

**IN ATTENDANCE:** Ed Molinelli, George Abel, Kate Coleman (Town Treasurer), Sandy Mackinnon (ZBA), Fred Hartmann, Beth Jenks (Town Clerk), Vern Jenks, Tim Apps, Tony DeFrancesco

#### **CALL TO ORDER:**

Pinto called the meeting to order at 6:00 PM at the Town Hall.

#### **PAY ORDERS:**

After review, Pinto made the motion to approve pay order(s) #20,21,22 as presented; seconded by Weaver; unanimous.

#### **MINUTES OF PAST MEETING(S):**

After review, Ameden made the motion to approve the meeting minutes of October 6, 2004 as amended; seconded by Weaver; unanimous.

#### **PUBLIC COMMENT(S):**

1) *George Abel* reported the crosswalk between the Post Office and the Winhall Market had been approved but installation was delayed until spring; also dynamic striping would not happen in this fall. The Town would have to pay for any handicap access on the Winhall Market side of the road unless the Town was able to get a grant from the State. Also XXX would be painted on the road directly in front of the Market so no cars could park there.

2) *Beth Jenks* (per Stuart Coleman) commented that all fire alarms needed to be registered with the Winhall Police Department; also not all residents had posted their 911 numbers. A letter would go out to all residents reminding them to post their numbers. Those who failed to respond would be fined.

**KENDALL FARM ROAD: (VAST) PROPOSITION TO RE-OPEN THE KENDALL FARM TO SNOWMOBILES:**

1) First Secretary Wing presented a letter to the Selectboard from Marianne Kantor (Kendall Farm Road resident) requesting the SB change the speed on Kendall Farm from 35 mph to 20 mph because of the increased vehicular usage to access the sand pit, snowmaking pond, and VAST snowmobile trails. Chief Whitesell explained to the SB that they could change the speed to 25 mph not 20 mph, but without a traffic study, the speed could not be enforced by the police. Whitesell would research change in speed possibilities further as well as what kind of signage the Town could post on the road to slow down the traffic; Whitesell would get back to the SB with his findings.

2) Next Tim Apps and Vern Jenks (VAST) submitted a formal proposal (see attached) to re-open Kendall Farm Road to snowmobiles for residential trail access to the VAST trail system. The road had been previously opened for snowmobile use by the Selectboard and then closed. The VAST group proposed signage on the corner of Kendall Farm Rd. and Route 30 and at the end of the road facing the trail (see attached sign wording). The Snow Valley Ski area was under new ownership and would no longer be available for trailer parking and trail access. Therefore, use of Kendall Farm Road would increase. Re-opening the road to snowmobiles for residential trail access would reduce the number of vehicles parked at the end of the road. Apps explained snowmobile traffic could be enforced just like vehicular traffic i.e. speeding, noise, etc. VAST proposed to reinforce the rules through signage and their newsletter. "No Outlet" signs at both ends of Kendall Farm Road were discussed. Apps, Jenks, and the Selectboard discussed alternate routes to access the VAST trails by traveling Gossling's Way and traversing private property. After further conversation, the Selectboard voted to re-open Kendall Farm Road to VAST- residential trail access only- on a one (1) year trial basis; for VAST to post all signage and to investigate alternative routes to the VAST trail system; and for VAST to return to the Selectboard's last meeting in October, 2005 for review. Motion by Pinto; seconded by Weaver; unanimous.

**LISTER(S) REPORT:**

At Kate Coleman's recommendation, Pinto made the motion to approve Stuart Read's request for a tax change re: three (3) parcels to two (2) parcels. Read had recently merged two of his lots into one (1) lot. Seconded by Weaver; unanimous.

**PUBLIC SAFETY (POLICE/FIRE/RESCUE) REPORT:**

- 1) After review, the Selectboard agreed to have the Town pay on a quarterly basis for all full-time police officers' uniform cleaning. Part-time police officers would have to pay for their own cleaning.
  
- 2) Next Whitesell submitted a memo to the Selectboard requesting a Pitney Bowes postal machine for the WPD. Currently they have none. Whitesell's memo discussed pricing as well as leasing the machine on a monthly basis. After discussion with Chief Whitesell and the Town Administrator, the Selectboard asked the Town Administrator to get the same "deal" as the Town Hall had on a postage meter for the WPD.

**HIGHWAY & ROADS REPORT:**

- 1) After review, the Selectboard signed an Access Permit for Dan Peloquin to access 168 acres located behind Capen Road.
  
- 2) The Town Administrator reminded the Selectboard there would be a meeting on Wednesday, October 27, 2004 to discuss the gate in the Town right-of-way on Snow Valley Road. He also stated the owner would need written permission from the Selectboard to gate the road, and under State statute, Title 19 the gate could not be locked preventing access to the pond for emergency purposes.
  
- 3) At the October 6<sup>th</sup> Selectboard meeting, Kimball and the SB had discussed the earth moving operation which was infringing on the Town's turn-around at #24 Snowflake Road. Kimball had reported sanding and haying for erosion control had caused the trees in the Town ROW to be covered with dirt; the dirt would need to be removed or the trees would die. A neighbor had also been impacted by the earth moving project. Kimball had tried to find the Town stakes. Then Charlie Rockwell, surveyor, had been contacted; he claimed no survey map had been done relative

to the turn-around on Snowflake Road, but he would try to find the stakes and survey the area to resolve the problem.

4) The bill for the new Town dump truck would be reflected on the November 3, 2004 pay order(s).

**TOWN TRANSFER STATION REPORT:**

1) The Selectboard agreed to increase the Town personnel to two (2) workers on Hazardous Waste Collection Day from 9:00 AM to 11:00 AM on 11/6/04 at the Winhall Transfer Station.

2) Randy Ameden reported he had received a quote from Jim Williams Fencing for \$6,675 for fencing at the Transfer Station; Springfield Fencing had quoted \$7,800. Randy Kimball would call William's Fencing to get exact details relative to the gates and how they handled before the SB made any further decisions.

**MUNICIPAL BUILDING(S) REPORT:**

1) After discussion with Nancy Oakes, Randy Ameden announced the Fire Department would furnish the hose(s) for the new water reel.

2) Oakes reported three (3) new windows had been installed in the atrium at a cost of \$651; the fourth window had been installed at no charge. She also reported the new generator was due to be shipped by November 1<sup>st</sup> and would arrive at the school by November 9<sup>th</sup>. Sparky Electric would most likely not be able to install it this fall; there was a slim chance he could do the work by the end of November; if not, he would install the generator in June after school was out.

3) Next Oakes and the Selectboard discussed the location and cost of putting a dumpster at the school. Oakes felt a six (6) cubic yard dumpster was best; it would be removed every other week at \$90 per pick up. Since it needed to be easily accessed, she suggested locating it either near the storage shed or in the far corner of the parking lot. The SB asked her to make the determination. Oakes and the SB also discussed who should pay for the dumpster; the Town or the school? Before the Selectboard made a

decision relative to the dumpster, Weaver would speak to the headmaster, Daren Houck, about a better recycling system at the school.

4) Next Oakes reported the company proposing to install the software program for the ventilator system at the school had cut the cost from \$3,000 to \$900. After review, Pinto made the motion to go ahead and order the software for \$900 as discussed; seconded by Weaver; unanimous.

5) After discussion with Oakes re: Christmas in The Country at the school, the Selectboard agreed no sleigh rides at the school or parking on the soccer field. All events would take place inside. A suggestion was for vendors to park at the Town Hall and offer wagon rides to the school.

**OLD-UNFINISHED BUSINESS:**

After review, the Selectboard approved added language to the signs to be posted at the end of Kendall Farm Road; signs to read "No ATV's" or unregistered vehicles allowed beyond this point, etc..

**NEW BUSINESS:**

The Town Administrator reminded the Selectboard budgeting meetings would begin October 20, 2004; also the deadline to have all Articles and department reports in was December 15, 2004. The Town Administrator also reported that Pat Salo would purchase the large culvert in the sand pit area for \$500 pending State Water Resources permit(s).

**ADMINISTRATIVE BUSINESS:**

1) Sandy Mackinnon (Chair ZBA) introduced Fred Hartmann to the Selectboard. After consideration, Pinto made the motion to appoint Fred Hartmann to the Winhall Zoning Board of Adjustment; seconded by Weaver; unanimous. Hartmann was replacing Janice Luurtsema who had recently resigned her position on the ZBA.

2) After review, Pinto made the motion to approve signing Cartographic Associates 2005 maintenance contract for \$2,200; seconded by Ameden; unanimous.



Selectboard- October 20, 2004- page 6

3) After review, Weaver made the motion to approve the Mountain School's request for \$734.50 for the installation and materials needed for a paging intercom system for the multi-purpose room and a telephone for the computer lab; seconded by Ameden; unanimous. The SB briefly discussed the upcoming Holiday Town party as well.

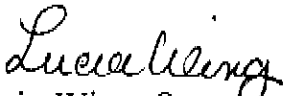
**ANNOUNCEMENTS & CORRESPONDENCE:**

Announcements and correspondence included Bennington Banner articles; VLCT October news; ANR Frank & Debra Dal Lago relocation of house, well, septic tank and pump on Upper Taylor Hill Road; Vermont Coalition of Municipalities letter; insurance papers from ISO; Forest Plan revision news; October Opinions of the VT Secretary of State; VLCT group services annual report; VLCT Candidate Bulletin; seminar- Managing the Municipal Budget 10/28/04.

As there was no other business, the meeting was adjourned at 9:05 PM. Motion by Weaver; seconded by Ameden; unanimous.

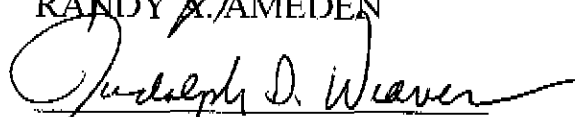
**Next Meeting: Wednesday, November 3, 2004 at 6:00 PM.**


Meeting minutes respectfully submitted by,

  
Lucia Wing, Secretary  
Winhall Selectboard

  
FRANK PINTO, CHAIR

  
RANDY A. AMEDEN

  
RUDOLPH D. WEAVER

TOWN CLERK'S OFFICE  
WINHALL, VT  
**RECEIVED**  
Date: Nov 15 04 at 9 AM  
Recorded Book # SB Page #  
Attest:   
TOWN CLERK



# WINHALL POLICE & RESCUE

P.O. Box 139  
Bondville, VT 05340



*Jeffery L. Whitesell*  
*Chief of Police & Rescue*

## WINHALL POLICE & RESCUE MONTHLY REPORT OCTOBER 2004

INCIDENT	WINHALL	STRATTON	TOTALS
ABANDONED MV	0	1	1
ALARMS	14	0	14
ANIMAL PROB	1	0	1
AGENCY ASST.*	6	0	6
BURGLARY	1	0	1
CANINE USE	3	0	3
CITIZEN ASSIST	2	0	2
FIRE	2	0	2
911 HANGUPS	2	0	2
MV/ACCIDENTS	3	0	3
MV/DISTURBANCE	3	0	3
MEDICAL	6	0	6
MOTORIST ASSIST	1	0	1
PROP WATCH	2	0	2
SUSPICIOUS	7	0	7
THEFT	0	1	1
TRAFFIC HAZ.	2	0	2
TOTAL INCIDENTS	55	2	57
TICKETS/SPEED	5	0	5
OTHER			
WARNINGS/SPEED	9	0	9
OTHER			
TOTAL TICKETS/WARNINGS	14	0	14
MONTHLY TOTALS	69	2	71

October 20, 2004

Town of Winhall Selectboard  
Bondville, Vermont 05340

Dear Selectboard:

Please consider this a formal request to re-open Kendall Farm Road for residential trail access to the VAST trail system. Below are points for your consideration.

1. The road was previously opened for use
2. We propose signage on the corner of Kendall Farm and Rt 30 and at the end of the road facing the trail (see attached pictures of locations) Proposed signs as follows:

- Rt 30 and Kendall Farm

VAST  
RESIDENTIAL  
TRAIL  
ACCESS  
ONLY

RESIDENTIAL  
TRAIL ACCESS  
ONLY  
RIDING OFF THE  
MARKED TRAIL  
PROHIBITED  
NO AMMENITIES

- End of Kendall Farm

3. The Snow Valley Ski area is under new ownership and will no longer be available for trailer parking and trail access. This is going to increase the amount of park and ride traffic at the end of Kendall Farm Rd. Granting residential trail access will reduce the trailer congestion at the trailhead.
  
4. We recognize the concerns of the property owners on Kendall Farm as it relates to speeding and noise. We encourage strict enforcement of the existing laws to mitigate these issues (see the attached letter from the Winhall Police Department). We will also reinforce the rules through signage and our news letter (see attached)

Your consideration in this matter is greatly appreciated.

# PROPOSED SIGN LOCATIONS





# GREEN MOUNTAIN TRAIL BLAZERS

## 2004-2005 NEWSLETTER and CLUB MEMBERSHIP/TMA APPLICATION

PRESIDENT: PAUL LACOSTE  
VICE-PRESIDENT: DAVID BEEBE  
SECRETARY: JOHN PERKINS  
TREASURER: CHARLES STEWART

### MONTHLY MEETING DATES (Second Thursday of the month)

November 11, 2004                      Time: 7:30PM  
December 9, 2004 (Pot luck supper at 6:30)

January 13, 2005  
February 10, 2005  
March 10, 2005      **ANNUAL MEETING  
ELECTION OF OFFICERS**

Place: Manchester Rod and Gun Club  
Manchester, Vermont

**Please keep these dates as no  
other notice is planned.**

### RIDE-INS AND CLUB EVENTS:

January 9, 2005, 12 noon, cook out at Branch Pond.  
February 20, 2005, Poker run starts 9am at the  
East Dorset Fire House, breakfast will be served  
by the Fire Company.

Club activities will be posted on the VAST  
Web Site, [WWW.VAST.ORG](http://WWW.VAST.ORG). (Events)

### CLUB NEWS

Trail maintenance and construction is being  
performed by a small percentage of the Club  
members. There is work to be done this fall.  
Please call Charlie Stewart to volunteer your  
time and expertise, 802-362-1185.

Last year's total membership was 528.

### Old Snow Valley Ski Area under New Ownership

The new owner of the old Snow Valley Ski Area is pro snowmobiling, **but has specific requests.** A new trail is being cut up the mountain along the westerly side of the property. This trail will be clearly marked. We **MUST** stay on this marked trail. The groomer access may be from a trail which will not be open to snowmobiles. If signed for groomer use only, **do not** use it. The new owner intends to have a private downhill ski area. We **MUST** stay off the rest of the mountain where he will be skiing. There will be no trailer parking nor access to Corridor 7 from the old Snow Valley Road. It is gated at the intersection with Sylvan Ridge Road. Trailer parking and access will be at the 11-30 parking lot and Kendall Farm Road. Anyone riding off the marked trail will be trespassing and subject to a fine. Misuse of the trail on this property will cause our permission to be revoked! Without use of these trails our north-south trail system (Corridor 7) will be cut off. Please cooperate with this new owner and **strictly obey all signing**

**GROOMING:** The big news is that the Club is buying the 1999 "Pisten Bully 100" which we have been leasing for five years. The buy-out is costing \$42,630. This will leave our treasury very thin. Owning the unit means we get paid by VAST at the rate of \$10 per mile rather than \$5 per mile as it was under the lease. Off road diesel fuel is currently at \$1.88 per gallon compared to \$.96 per gallon last November. This will make for a more costly grooming season. The Club also owns and grooms with 4 Yamaha VK540's. Twenty three miles of the Class 4 grooming is contracted through VAST. Grooming done on Mt. Equinox and Green Peak is not reimbursed by VAST. We could use volunteers to run the Class 4 grooming equipment. Please call or attend a meeting to get more information.

**TMA'S:** There is no change in the cost of a TMA or Club dues for this year. Hopefully the information requested on the enclosed membership application is clear. However, if you have questions, please call me at 802-362-1185, for clarification. Be sure to fill out, and sign the limited liability and insurance statement on the back. Each sled owner must sign this form before a TMA can be issued. Also, please send a copy of your current sled registration. Incomplete applications can not be processed. They will be returned to you for completion.

**RESIDENT TMA REQUIREMENT:** A VT resident whose snowmobile is registered in VT. You must provide a copy of your VT registration. A non-resident who owns property in VT and whose snowmobile is registered in VT. You must provide copy of your town tax bill and a copy of your VT snowmobile registration.

**NON-RESIDENT TMA:** All non-residents that do not own property in VT. Provide a copy of your registration from any state. VT residents whose snowmobile is not registered in VT. Provide a copy of your registration. Non-resident VT property owners whose snowmobiles are not registered in VT. Provide a copy of your registration.

A TMA and Club membership may be purchased mail order by returning the application to me at the address shown or in person at the following places:

**Paul's Towing and Auto Repair**, 81 Taconic Business Park, (going east out of Manchester on Rt. 11/30, turn left just past Dexter Shoe store, before railroad) Monday thru Friday 8am-5pm and Saturday 8am-1pm. (VT sled registrations and renewals also available there) Sundays; for appointment call 802-362-3058.

**Manchester Town Clerk's office** during regular business hours.

**Vernon Jenks Oasis**, Jenks Way, Bondville, during regular business hours or call 297-3658.

**Tim Waker's**, 660 Wideawake Rd., Manchester by appointment, 362-2215.

**Charles Stewart**, 324 Morse Hill Rd, E. Dorset, by appointment call 362-1185

**Brownell's Snowmobiles**, Rt. 40, Schaghticoke, NY (during regular business hours)

**Progressive Motor Sports**, 3058 State Rt. 4, Hudson Falls, NY (during business hours)

**THE TRAIL SYSTEM OFFICIALLY OPENS DECEMBER 13, 2004**  
BARRIERS WILL BE TAKEN DOWN THAT DAY IF THERE IS ENOUGH SNOW.

*Please have a safe and pleasant riding season.*

Written by: *Charlie Stewart*, trail coordinator

**Town of Winhall Select Board Regular Meeting**

**Wednesday, November 3, 2004**

**Agenda**

**Supplement to Minutes of Regular Meeting**

**Present:** Chairman Pinto, Vice Chairman Ameden, Member Weaver

**In Attendance:** Chairman Marcel Gisquet, Chairman MacKinnon, Zoning Administrator Driscoll, Town Administrator McCarthy

Voted to go into Executive Session at 5:10 PM; Vice Chairman Ameden made the motion; seconded by Member Weaver; motion passed, unanimous

**Executive Session:**

Personnel Issues – Zoning

It is assumed that the Selectboard will move to go into executive session

Voted to come out of Executive Session at 6:28 PM; Member Weaver made the motion; seconded by Vice Chairman Ameden; motion passed, unanimous

**SUPPLEMENTAL MINUTES FOR WEDNESDAY, NOVEMBER 03, 2004**

Chairman Pinto moved to have the Zoning Administrator develop a new zoning permit and to create a file for all permits so follow up of the permit will be easier. Seconded by Member Weaver; motion carried, unanimous.

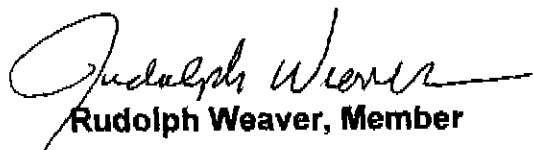
The Board of Selectmen, Zoning Board Chair Sandy MacKinnon, Planning Commission Chair Marcel Gisquet and Zoning Administrator Jerry Driscoll all agreed to continue to keep each other informed as to the status of zoning issues in Town.

**Next Regular Meeting: November 17, 2004 at 6:00 PM**

**Respectfully Submitted: Dennis C. McCarthy, Town Administrator**

**Frank Pinto, Chairman**

  
**Randy Ameden, Vice Chairman**

  
**Rudolph Weaver, Member**

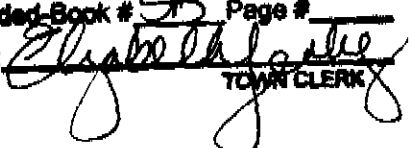
**TOWN CLERK'S OFFICE**

**WINHALL, VT**

**RECEIVED**

Date: Nov 17, 2004 at 9:00 AM

Recorded Book # 58 Page #     

Attest:   
**TOWN CLERK**



**Town of Winhall Select Board Meeting**

**November 03, 2004**

**Agenda**

**Executive Session Personnel Issues –Zoning– 5:00 PM to 6:00 PM**

**It is assumed that the Selectboard will move to go into executive session**

**Call To Order: Meeting begins at 6:00 PM and adjourns at approximately 9:00 PM**

**Approval of Minutes: from October 20, 2004**

**Review Bills/Sign Orders – 6:00 to 6:30 PM**

**Public Comments**

**DEPARTMENT REPORTS**

**Police/Rescue**

Chief Whitesell's Monthly Department Report-first meeting of the month

**Buildings/Maintenance**

Facilities Manager Nancy Oakes Monthly Department Report-second meeting of the month

**Roads**

Access Permit for Patrick Salo 261 Route 30

Access Permit for Roy Coleman and Sons 21 Raspberry Hill Road

D&L Builders/Lot 5/Houston Sub-division/Snow Valley Rd

24 Snowflake Road - earth moving operation

Snow Valley Road – Gate in Town Right-of-way

Letter to Delury's on 2000 Dump Truck

Traffic Survey for Winhall Roads

**Transfer Station**

Fencing at Transfer Station – Springfield Fence Company, Inc.

Transfer Permit second one for residential use

**Old/Unfinished Business**

Town Meeting article on Secession from Vermont

Town Meeting article on the funds received from the MSA amendment

**New Business**

Act 250 Municipal Impact Questionnaire-Eustance-French Hollow Alpacas

Speath Engineering-addendum to act 250 application for Dritz property in Winhall  
accessed from Jamaica

**Administrative**

PayData payroll service – Paul Trahan

Zoning Board member resignation-place ad for new member

**Announcements/Correspondence:**

See Attached Reading List

**Executive Session:**

**Adjourn**

**Next Meeting: November 17, 2004 at 6:00 PM Over Please**

**November 03, 2004 Material Reading List for the Board of Selectmen**

1) Waste Water Permit for Linda & Ronald Frank-subdivision of a 43.74 acre parcel into 4 lots and build four (5) bedroom homes on each lot, locate on Route 30 in Winhall.

2) VLCT November News "Membership fails to endorse single payer health care proposal" – "Due process and local ordinances, ordinance cannot supercede employee's right to due process" – "E-Mail spoofing and forgery" – "Municipal Official sought to serve on State E-911 Board"

3) Request to receive forest plan revision documents

4)

5)

6)

7)

8)

9)

10)

## **TOWN OF WINHALL SELECTBOARD**

### **Meeting Minutes for Wednesday, November 3, 2004**

**PRESENT:** Frank Pinto, Chair; Randy Ameden, Rudy Weaver, Jeff Whitesell (WPD), Randy Kimball (WHD) Lucia Wing, Secretary, Dennis McCarthy, Town Administrator,

**ABSENT:** Nancy Oakes (Buildings)

**IN ATTENDANCE:** Kate Coleman (Town Treasurer), Tony DeFrancesco, Bob Oakes, Dave Hunter, Paul Trahan (PayData)

**EXECUTIVE SESSION @ 5:00 PM (See Attached Supplement)**

#### **CALL TO ORDER:**

Pinto called the regular meeting to order at 6:00 PM at the Town Hall.

#### **PAY ORDERS:**

After review, Pinto made the motion to approve pay order(s) #23, 24, 25 as presented; seconded by Weaver; unanimous.

#### **MINUTES OF PAST MEETING(S):**

After review, Ameden made the motion to approve the meeting minutes of October 6, 2004 as corrected; seconded by Weaver; unanimous.

#### **PUBLIC COMMENT(S):**

*Bob Oakes* came before the Selectboard to discuss Stratton's and the Selectboard's decision to eliminate the passing lanes on the Stratton Mt. Access Road for safety reasons, cost, and need re: Municipal Services Agreement. Oakes strongly felt the decision warranted Town taxpayer and resident input at Town Meeting Day in March. Pinto reminded Oakes that Stratton would be paying Winhall \$711,000 to do away with the passing lanes; Winhall badly needed to expand its Municipal Building; the money could be used for that purpose. Pinto went on to say that Stratton had conducted an in depth traffic control study and concluded there was only a three (3) minute delay going up the mountain on heavy construction days. In addition, there were safety concerns about vehicles trying to pass on the right. Once the Master Plan "build out" concluded, construction trucks

would no longer travel up the mountain. Although Oakes agreed with the Selectboard that the Municipal Building needed expansion, he felt \$711,000 was not enough money. Oakes suggested the Town hire its own engineer to conduct its own traffic study; the Town should determine how much it would cost to build the passing lanes and whether or not they were needed. Oakes felt it was not a good trade- passing lanes for the Municipal Building; "it was too important a decision for the Selectboard to sell out the passing lanes for \$711,000 without Town taxpayer input at Town Meeting." The Selectboard would keep Oakes advised.

**LISTER(S) REPORT:**

(No Report)

**PUBLIC SAFETY (POLICE/FIRE/RESCUE) REPORT:**

Chief Whitesell and the Selectboard discussed the October monthly police report including traffic tickets and warnings, law incidents for both Stratton and Winhall, and agency assists outside of Winhall. Whitesell reported that typically October was a quiet month; he also updated the Selectboard on a case involving a burglary in Winhall.

**HIGHWAY & ROADS REPORT:**

1) After review, the Selectboard signed Access Permit(s) for Patrick Salo (#261- Route 30); Roy Coleman & Sons (#21 Raspberry Hill Road); and D&L Builders (Lot #5 Houston subdivision-Snow Valley Road). It was noted that Larry Brown had moved the location of the curb cut on Sylvan Ridge Road without permission from the Town. The Selectboard agreed to fine Brown per the new Town ordinance re: curb cuts. The Town Administrator would draft a letter to Brown referencing both the signed Access Permit and Town ordinance; Chief Whitesell would issue the ticket. Brown would have to apply for a new curb cut.

2) The Selectboard agreed to give Chris Franco, new owner of Snow Valley Ski Area, permission to put up his gate in the Town right-of-way on Snow Valley Road until the first snowfall. After that, Franco would have to open up the gate; the Town would install "No Parking," "No Dumping," and "No Snowmobile Staging" signs. Franco would have to get back to the Selectboard with a plan as to where to locate the gate in the future.

In the meantime, Franco was planning to build a caretaker's house and install a dry hydrant to access the pond.

3) After discussion re: the earth moving operation infringing on the Town's turn-around at #24 Snowflake Road and on Gary Orlando's adjoining property, the Selectboard agreed Orlando would have to get his own survey; then resolve the issue with neighbor, Philip Stumpf who had caused the problem. The SB agreed it was not within their jurisdiction.

4) Dave Hunter (D & L Builders) came before the Selectboard to discuss developing the road in the pre-existing subdivision off Upper Signal Hill; Hunter planned to purchase four of the lots in the subdivision. Proposed Rogue Ridge would be developed off the Town road extension to access the four lots. Hunter's question was- did the Selectboard want the road built to Town road standards? After review, the Selectboard voted to approve Hunter's request to develop the road and to have Hunter build the road to Town specs with no cul-de-sac or blacktop as discussed; the road would be a private road and not be maintained by the Town at this time.

5) Next the Selectboard and Randy Kimball discussed the excessive brake problems relative to the 2000 Town dump truck purchased from DeLury & Sons; Kimball reported the brakes had been repaired 11 times to date. Weaver suggested just have DeLury replace the truck. After reviewing Rob Woolmington's (Town attorney) letter asking DeLury to reimburse the Town \$3,675 for brake repairs, the Selectboard agreed the letter was not sufficient. The Selectboard asked the Town Administrator to review the letter with Woolmington, have Kimball participate, and come up with something financially more substantial. Kimball reported the 1995 dump truck had been sold, and the new Town dump truck was in.

6) The Town Administrator and the Selectboard discussed having a Town traffic study conducted by Bob Vargo who was qualified to make the study. The Selectboard agreed to have ~~Vargo~~ <sup>DeLury</sup> go ahead with the report. *Chief Libbert*  
*Offered his Department to do the work.*

**TOWN TRANSFER STATION REPORT:**

The Selectboard agreed to have Jim Williams Fencing send the Town a contract to fence the Transfer Station at a cost of \$6,675. The SB also

discussed a second dump permit for residents. However, if a resident forgot their permit at home or left it in another vehicle, there was a list at the Transfer Station.

**MUNICIPAL BUILDING(S) REPORT:**

(No Report)

**OLD-UNFINISHED BUSINESS:**

The Town Administrator submitted a draft of the Town Meeting warning to the Selectboard for their review and approval including the Article on secession from Vermont. He reported an informational hearing would take place prior to Town Meeting Day on March 1, 2005. The SB also discussed how to vote the Article referencing the funds received from the MSA amendment- Australian ballot or voice vote from the floor? Before deciding, Pinto would get all the traffic studies from Stratton.

**NEW BUSINESS:**

1) Before signing the Act 250 Municipal impact questionnaire re: Harold Eustance's French Hollow alpacas, the Selectboard asked the Town Administrator to research it first. If McCarthy found no problems, then he should go ahead, sign it, and send the questionnaire back.

2) The Town Administrator brought to the Selectboard's attention the following: the access for Dritz's (23) lot subdivision in Winhall was in Jamaica re: Act 250 application addendum (Ellis Speath-engineer).

**ADMINISTRATIVE BUSINESS:**

1) As the Town had received an official resignation letter from Stuart Fause (ZBA), the Town Administrator would place an ad in the newspaper looking for a new *Zoning Board member*.

2) Next Paul Trahan (PayData Payroll Service) came before the Selectboard to discuss his service re: the Town of Winhall. He explained to the Selectboard that his multi-purpose company was both a payroll service company and an HR system. The company looked at time cards and time worked, tax benefits, printed payroll checks, kept employee information, printed management reports, and was generally a paydata partner with the

Selectboard- November 3, 2004- page 5

Town of Winhall. Chief Whitesell interjected that time clocks did not work for the WPD because of all the variables involved in police work. Trahan stated the company could work with the WPD's payroll system. After further discussion, Pinto made the motion to accept PayData's payroll service proposal for the Town of Winhall beginning January 2005; seconded by Weaver; unanimous.

**ANNOUNCEMENTS & CORRESPONDENCE:**

Announcements and correspondence included a Wastewater Permit for Linda & Ronald Franks subdivision; VLCT November News; and request to receive forest plan revision documents.

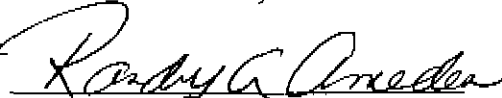
As there was no other business, the meeting was adjourned at 10:00 PM. Motion by Weaver; seconded by Ameden; unanimous.


**Next Meeting: Wednesday, November 17, 2004 at 6:00 PM.**

Meeting minutes respectfully submitted by,

Lucia Wing, Secretary  
Winhall Selectboard

\_\_\_\_\_  
FRANK PINTO, CHAIR

  
\_\_\_\_\_  
RANDY A. AMEDEN

  
\_\_\_\_\_  
RUDOLPH D. WEAVER

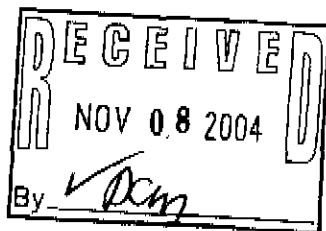
36 Road to Mill Brook  
Bonsville VT 05340  
Nov 4, 2004

Dear Frank -

Please be advised that as of today,  
Nov 4, 2004, I am resigning my position  
as vice chairman of The Zoning Board for  
the Town of W. Whitehall.

Please let me take this opportunity  
to thank the board for the aforementioned  
appointment and support.

Sincerely,  
Stuart P. Fause





**Town of Winhall Select Board Meeting  
November 17, 2004  
Agenda**

**Call To Order: Meeting begins at 6:00 PM and adjourns at approximately 9:00 PM**  
**Approval of Minutes: from November 3, 2004**  
**Review Bills/Sign Orders – 6:00 to 6:30 PM**

**Public Comments**

**DEPARTMENT REPORTS**

**Police/Rescue**

Chief Whitesell's Monthly Department Report-first meeting of the month

**Buildings/Maintenance**

Facilities Manager Nancy Oakes Monthly Department Report-second meeting of the month

**Roads**

**Management Academy**

Managing the Municipal Highway System  
Letter to Delurey Sales & Service, Inc.  
Letter to David Hunter

**Transfer Station**

Fencing at Transfer Station – Springfield Fence Company, Inc.

**Old/Unfinished Business**

Invoice for The Mountain School Lease Agreement  
Banner Article on Secession  
MSA amendment meeting in December 2004

**New Business**

Bennington County Court annual budget warning  
VLCT Health Trust, Inc. Insurance Rates for 01/01/05 to 12/31/05  
Town Report Status

**Administrative**

Minutes of August 21, 2002  
Inspection Butler – Zoning software  
PayData payroll service – Paul Trahan  
Zoning Board member resignation-place ad for new member

**Announcements/Correspondence:**

See Attached Reading List

**Executive Session:**

**Adjourn**

**Next Meeting: December 1, 2004 at 6:00 PM    Over Please**

**November 17, 2004 Material Reading List for the Board of Selectmen**

- 1) VLCT Board sets FY06 Dues
- 2) Pre-Disaster Mitigation Competitive (PDM-C) Grant Program
- 3) State of Vermont Change in Property Classification after November 30, 2004
- 4) VLCT Worker's Compensation Payroll Audit for 2003
- 5) Opinions – Secretary of State Deborah L. Markowitz, #10. Investments of funds is a joint responsibility. #11. Social service agencies can circulate a joint petition. #12. Social service agency funded by the town must provide services to the community. #18. Board may eject unruly member of public. #24. Purging the Checklist. Etc.
- 6) Subscription for Vermont Employment Law Letter
- 7) James P. Taylor Memorial Town Report Contest {AWARD OF EXCELLENT ACHIEVEMENT PRESENTED TO THE TOWN OF WINHALL}
- 8) Facility Manager time off request
- 9)
- 10)

**TOWN OF WINHALL SELECTBOARD**  
**Meeting Minutes for Wednesday, November 17, 2004**

**PRESENT:** Randy Ameden, Rudy Weaver, Nancy Oakes (Buildings),  
Lucia Wing, Secretary, Dennis McCarthy, Town Administrator

**ABSENT:** Frank Pinto, Jeff Whitesell (WPD), Randy Kimball (WHD)

**IN ATTENDANCE:** Kate Coleman (Town Treasurer), Tony DeFrancesco,  
George Abel

**CALL TO ORDER:**

Ameden called the regular meeting to order at 6:00 PM at the Town Hall.

**PAY ORDERS:**

After review, Ameden made the motion to approve pay order(s) #26, 27, 28  
as presented; seconded by Weaver; unanimous.

**MINUTES OF PAST MEETING(S):**

After review, Ameden made the motion to approve the meeting minutes of  
November 3, 2004 as corrected; seconded by Weaver; unanimous.

**PUBLIC COMMENT(S):**

(None)

**LISTER(S) REPORT:**

(No Report)

**PUBLIC SAFETY (POLICE/FIRE/RESCUE) REPORT:**

(No Report)

**HIGHWAY & ROADS REPORT:**

1) The Town Administrator and the Selectboard discussed a program which  
involved Town road management and other issues; the program called  
Management Academy started in January 05 and ran through October 05.  
The Selectboard would consult with Randy Kimball to see if he might be  
interested in attending the once per month series of seminars. Also offered  
was a one day Managing the Municipal Highway System seminar.

2) Next the Selectboard reviewed and approved the revised letter to Delury & Sons drafted by Rob Woolmington (Town attorney) re: failed brakes on the Town dump truck.

3) After review, the Selectboard approved the letter to D & L Builders (Dave Hunter) re: development of Rogue Ridge Road to Town road specifications; the proposed road was located off Upper Signal Hill Road extension in the Town of Winhall.

4) After discussion re: Franco's letter to the Town about throwing up the road in Snow Valley from the gated area to the old base lodge, the Selectboard agreed to have the Town Administrator write Franco a letter stating the gate must be left open indefinitely until the process started. McCarthy reminded the Selectboard a Class 3 road could not be legally gated. The SB agreed that Franco would have to initiate throwing up the road beginning with a petition to the Town.

**TOWN TRANSFER STATION REPORT:**

The Town Administrator reported Williams Fencing had completed the fencing job at the Transfer Station creating much more open space.

**MUNICIPAL BUILDING(S) REPORT:**

1) Oakes reported the generator was being delivered to the school this week but would not be installed by Sparky Electric until the spring.

2) Weaver reported he had talked to the headmaster about better recycling practices at the Mountain School; if recycling did not improve by January 1<sup>st</sup>, then the Selectboard would make a decision to install a dumpster.

3) Next Oakes and the Selectboard discussed the Town plowing a pull over area at the intersection of Upper Taylor Hill Road and the Access Road. Oakes explained the school bus pulled off there to pick up children. Ameden thought the area was not owned by the Town; however, the Town Administrator would check it out. Because it was more level, a suggestion was to pick up the kids at the intersection of Stratton Gardens Road and the Access Road.

Selectboard- November 17, 2004- page 3

4) The Selectboard approved Oakes' days off request for 11/24, 12/23-24.

**OLD-UNFINISHED BUSINESS:**

1) After review, the Selectboard approved the Mountain School lease agreement invoice- 1<sup>st</sup> installment of \$15,380.46 paid on December 15, 04 and the 2<sup>nd</sup> installment of \$15,380.46 paid on June 15, 05 (see attached).

2) The Selectboard discussed whether or not to have a public hearing in January (with Pinto present) prior to Town Meeting to discuss eliminating the passing lanes on the Access Road re: MSA agreement. The SB also reviewed the proposed MSA Article for Town Meeting.

**NEW BUSINESS:**

1) The Town Administrator reminded the Selectboard the Bennington County Court proposed annual budget was warned for December 15<sup>th</sup>. The SB also reviewed the new VLCT insurance rates for 1/1/05-12/31/05.

2) The Town Administrator reported that the Town Report Committee had decided on a school theme for this year's Town Report; they still had not come up with whom to dedicate the Town Report to. Before making a decision, McCarthy was still investigating pricing for the larger size report.

**ADMINISTRATIVE BUSINESS:**

1) Per the August 21, 2002 minutes, Jerry Driscoll, Zoning Administrator was to receive \$20.00 per hour for work other than processing building permits. The Selectboard agreed to have Driscoll keep track of those additional hours and submit an itemized bill to the Town; Sandy Mackinnon, Chair of the Zoning Board of Adjustment, would sign off on the bill before the Town paid Driscoll for the extra hours. Driscoll would also purchase computer software (Inspection Butler) to help organize his Zoning Administrator duties.

2) Next the Town Administrator reported he would begin to organize the information received from Paul Trahan (PayData Payroll Service).

3) The Town had received Suart Fause's resignation letter from the ZBA.

4) The Selectboard reviewed the traffic study report from the Louis Berger Group re: Stratton Mt. Access Road climbing lanes including cost. The Selectboard agreed they could not complete their own traffic study before Town Meeting Day. They asked the Town Administrator to get some opinions from other firms regarding Louis Berger Group's quality of work.


**ANNOUNCEMENTS & CORRESPONDENCE:**

Announcements and correspondence included VLCT Board to set Fy06 dues; Pre-Disaster Mitigation Competitive Grant Program; VT change in property classification after 11/30/04; Secretary of State "Opinions;" subscription for VT Employment Law Letter; James P. Taylor Memorial Town Report Contest awarded to the Town of Winhall for excellent achievement; facility manager time off request; and Act 250 hearing 12/6 re: Michael & Joan Dritz.

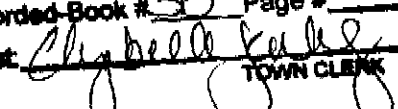
As there was no other business, the meeting was adjourned at 8:25 PM. Motion by Weaver; seconded by Ameden; unanimous.

**Next Meeting: Wednesday, December 1, 2004 at 6:00 PM.**

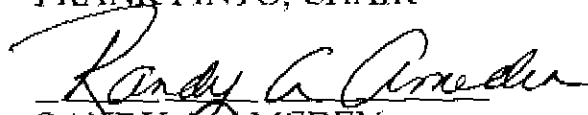
Meeting minutes respectfully submitted by,

  
Lucia Wing, Secretary  
Winhall Selectboard

**TOWN CLERK'S OFFICE  
WINHALL, VT  
RECEIVED**

Date: Dec 14, 2004 at 9:00 AM  
Recorded-Book # 50 Page #       
Attest:   
TOWN CLERK

FRANK PINTO, CHAIR

  
RANDY A. AMEDEN

  
RUDOLPH D. WEAVER

TOWN OF WINHALL  
 PO Box 46  
 Bondville, Vermont 05340

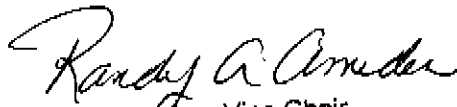
The Mountain School Lease Agreement Invoice

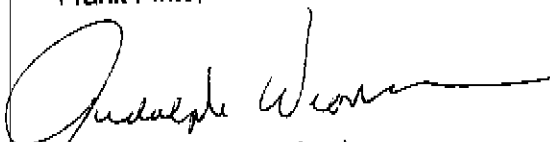
	December-03	December-04
Community Center Costs	\$9,955.95	\$9,840.65
Electricity	\$10,604.26	\$10,811.88
Fuel Oil	\$4,365.00	\$4,659.80
Custodial	\$32,510.48	\$33,610.00
<b>Total</b>	<b>\$57,435.69</b>	<b>\$58,922.33</b>
Total divided by 2 =	\$28,717.85	\$29,461.17
Half expense divided by 68 =	\$422.32	\$433.25
	03	04
Half expense X # of Students =	61 Students \$25,761.60	71 Students \$30,760.92
1st Installment Due December 15 =	\$12,880.80	PAID 1/25/04 ck#1540 \$15,380.46
2nd Installment Due June 15 =	\$12,880.80	June-04 \$15,380.46

PAID

BOARD OF SELECTMEN

Frank Pinto, Chair

  
 Randy Amodeo, Vice Chair

  
 Rudolph Weaver, Member

Dated: 11-17-04





**Town of Winhall Select Board Meeting**  
**December 15, 2004**  
**Agenda**

**Call To Order: Meeting begins at 6:00 PM and adjourns at approximately 9:00 PM**  
**Approval of Minutes: from December 1, 2004**  
**Review Bills/Sign Orders – 6:00 to 6:30 PM**

**Public Comments**

Michael Jenks – Town Property located on the Access Road

**DEPARTMENT REPORTS**

**Police/Rescue**

Chief Whitesell's Monthly Department Report-first meeting of the month  
Ball Mountain Agreement – Matt Underwood

**Buildings/Maintenance**

Facilities Manager Nancy Oakes Monthly Department Report-second meeting of the month

**Roads**

Appeal by Larry Brown Excavation on Selectmen's Letter – installation of driveway without access permit  
Highwood Road Extension

Tim Apps access permit for #146 Winhall Hollow Road

Joseph Sullivan access permit for #33 Sylvan Ridge Rd. #39 Sylvan Ridge Road will  
be deleted.

Olsen and Doruk -- Haviland Lot #3 subdivision – access permit west side  
of Lower Taylor Hill Road

**Transfer Station**

**Old/Unfinished Business**

MSA amendment report from AOT – report from Louis Berger Group, Inc.

Zoning Administrator – software and computer needs – reporting forms

Bennington County Court Budget

**New Business**

Town Fire Warden – charging for burn permits - \$1.00 to \$3.00 each

Dates for budget meetings – Wednesday [December 15 – 8:00 to 8:30 PM review Budget  
Expenditures, Library, Recreation Department, Fire & Rescue  
Department]

Thursday [December 16 – 11:00 AM to 1:00 PM Custodial Services, Municipal Building, Community Center,  
Town Office Building, Street Lights, Special Project – Sidewalk]

Tuesday [December 21 – 6:00 to 8:00 PM finish 2005/2006 Budget]

Tuesday [December 28 – 6:00 to 8:00 PM Appropriations, Reserve funds, Sinking funds,  
revenues, Review Budget expenditures]

Wednesday [December 29, 2004 6:00 to 8:00 PM approval of 2005/2006 Town  
Budget]

**Administrative**

Errors and Omissions – Town Treasurer

PayData payroll service – update

Bondville Village Sidewalk \$15,00.00 Enhancement Grant Awarded

**Announcements/Correspondence:**

See Attached Reading List

**Executive Session:**

Personnel Contract – It is assumed that the Board of Selectmen will move to go into executive  
session

**Adjourn**

**Next Regular Meeting: January 5, 2005 at 6:00 PM Over Please**

## **December 15, 2004 Material Reading List for the Board of Selectmen**

1) OPINIONS Secretary of State – 1. A vacancy is created when a newly elected official declines the office. – 8. JP'S take office on February 1<sup>st</sup>. – 9. Board must include petitioned funding request on warning. – 10. Town cannot limit requests for appropriation. – 11. Vermont does not recognize common law marriages. – 15 Mortgage discharge is \$7.00 per page – not per discharge. – 20. Boards cannot privately retreat to discuss board business. – Executive sessions do not have to be specifically warned. – 24. Public meetings must be held in an executive session.

2) Potter Stewart, Jr. Law Offices, P.C. – Nina Geller property

3) Windham Solid Waste Management District – Operator Training and District Services update

4) How to make your Town or Regional Plan effective under act 250 – passed on to the Planning Commission.

5) Fisher & Fisher new Attorney's Hourly Rate

6) West River Habitat for Humanity request for funds

7) Letter from State of Vermont to Joseph Papa, Jr. concerning the request for jurisdictional opinion: co-location of nine panel antennas on existing tower and construction equipment building on summit of Stratton mountain.

8) Cross Town Talks – December 16, March 10, & June 9, Planning and Zoning seminars – January 10, cross town talk on housing – December 14, March 15, & June 14<sup>th</sup> Zoning Administrator workshops at WRC

9)

10)

**Town of Winhall Select Board Meeting  
December 1, 2004  
Agenda**

**Call To Order: Meeting begins at 6:00 PM and adjourns at approximately 9:00 PM**  
**Approval of Minutes: from November 17, 2004**  
**Review Bills/Sign Orders – 6:00 to 6:30 PM**

**Public Comments**

**DEPARTMENT REPORTS**

**Police/Rescue**

Chief Whitesell's Monthly Department Report-first meeting of the month

**Buildings/Maintenance**

Facilities Manager Nancy Oakes Monthly Department Report-second meeting of the month

**Roads**

Letter to Chris Franco – discontinuance of Snow Valley Road

Letter to Larry Brown Excavation – installation of driveway without access permit

D & L Builders access permit for #1 Greentree Road

Pete Fusaro private road naming – Indian Head Road (Pvt)

Steven Dear access permit for Highwood Road

Ronald and Linda Franks E-911 numbers for four units off of Route 30

Route 30 Bridge Lights – need for electrician

**Transfer Station**

**Old/Unfinished Business**

MSA amendment report from AOT – report from Louis Berger Group, Inc.

Zoning Administrator – software and computer needs – reporting forms

Bennington County Court Budget

**New Business**

Dates for budget meetings – [December 7- 6:00 to 8:00 PM Highway Budget]

[December 9 – 6:00 to 8:00 PM Facilities Budget]

[December 13 – 6:00 to 8:00 PM Police Department Budget]

[December 14 – 6:00 to 8:00 PM Administration Budget]

[December 15 – 8:00 to 8:30 PM review Budget Expenditures]

[December 21 – 6:00 to 8:00 PM finish 2005/2006 Budget]

**Administrative**

PayData payroll service – sign agreement documents

**Announcements/Correspondence:**

See Attached Reading List

**Executive Session:**

Personnel Contract – It is assumed that the Board of Selectmen will move to go into executive session

**Adjourn**      **Next Regular Meeting: December 15, 2004 at 6:00 PM Over Please**

**December 1, 2004 Material Reading List for the Board of Selectmen**

1) VLCT News Latest Stormwater Decision Raises Questions – Independent Officers and Personnel Policies – Unemployment Board Finalizes 2005 Rates and Credits – CLASSES – Managing the Municipal Highway System on Wednesday, December 8, 2004 in Berlin, Vermont – Planning & Zoning Series #2: Required Changes to Zoning Bylaws by September 2005 on Thursday, December 16, 2004 at Vermont Interactive Television.

2) Letter to Chris Franco regarding the discontinuance of Snow Valley Road from his property line to Route 11/30.

3) Windham Regional Commission Cross-Town Talks Fall 2004

4) Letter to Delurey Sales and Service, Inc, relating to the 200 International Truck Model 2574.

5) Act 250 entry of appearance of the Agency of Natural Resources, State of Vermont on application #2W11888 – Michael and Joan Dritz.

6) VLCT Legislative Preview and Strategy Session – Manchester, Vermont Friday, January 14, 2005 – Town Offices 9:00 – 11:00 AM

7)

8)

9)

10)

## **Town of Winhall Select Board Budget Meetings**

**Tuesday, December 7, 2004 6:00 to 8:00 PM**  
**Highway Department Budget**  
**Vehicle Maintenance – Highway Summer – Garage – Highway Winter**  
**Solid Waste/Transfer Station**

**Tuesday, December 14, 2004 6:00 to 8:00 PM**  
**Administration Budget**  
**Board of Selectmen – Town Administrator – Town Clerk**  
**Town Treasurer – Board of Civil Authority – Listers – Delinquent Tax Collector**  
**Town Tree Warden – Special Projects – Employee Benefits**  
**Zoning Board of Adjustment – Planning Commission – Animal Control Warden**

**Wednesday, December 15, 2004 8:00 to 8:30 PM**  
**Review Budget Expenditures – Library – Recreation Department**  
**Fire & Rescue Department**

**Thursday, December 16, 2004 11:00 AM to 1:00 PM**  
**Custodial Services – Municipal Building – Community Center**  
**Town Office Building – Street Lights**

**Tuesday, December 21, 2004 6:00 to 8:00 PM**  
**Police/Rescue Department**  
**Emergency Management – Police/Rescue Department**

**Tuesday, December 28, 2004 6:00 to 8:00 PM**  
**Appropriations – Reserve Funds – Sinking Funds – Revenues**  
**Review Budget Expenditures**  
**ADDITION: The Board will review a resolution presented by the**  
**Coalition of Vermont Municipalities – Recreation Committee will meet with the**  
**Board to go over Recreation Maintenance at the Community Center**

**Wednesday, December 29, 2004 6:00 to 8:00 PM**  
**Approval of 2005 / 2006 Budget**

**Next Regularly Scheduled Selectmen's Meeting:**

**Wednesday, December 15, 2004 at 6:00 PM**

RESOLVED, the Coalition of Vermont Municipalities is authorized, pursuant to the approval of its Board of Directors, to commence a lawsuit in the name of the Town of Winhall in Rutland Superior Court asserting that, by operation of 16 V.S.A. § 4025, the withdrawal of funds from the Education Fund for purposes other than payments to school districts and supervisory unions requires the repeal of the current education funding law, and to prosecute all claims thereunder, including any appeals. The cost of prosecution of the suit will be borne by the Coalition.

Frank R Pinto  
Randy A. Arnold

Date: 12/28/04

\_\_\_\_\_  
Board of Selectmen

## **Town of Winhall Select Board Budget Meetings**

**Tuesday, December 7, 2004 6:00 to 8:00 PM**  
Highway Department Budget  
Vehicle Maintenance – Highway Summer – Garage – Highway Winter  
Solid Waste/Transfer Station

**Tuesday, December 14, 2004 6:00 to 8:00 PM**  
Administration Budget  
Board of Selectmen – Town Administrator – Town Clerk  
Town Treasurer – Board of Civil Authority – Listers – Delinquent Tax Collector  
Town Tree Warden – Special Projects – Employee Benefits  
Zoning Board of Adjustment – Planning Commission – Animal Control Warden

**Wednesday, December 15, 2004 8:00 to 8:30 PM**  
Review Budget Expenditures – Library – Recreation Department  
Fire & Rescue Department

**Thursday, December 16, 2004 11:00 AM to 1:00 PM**  
Custodial Services – Municipal Building – Community Center  
Town Office Building – Street Lights

**Tuesday, December 21, 2004 6:00 to 8:00 PM**  
Police/Rescue Department  
Emergency Management – Police/Rescue Department

**Tuesday, December 28, 2004 6:00 to 8:00 PM**  
Appropriations – Reserve Funds – Sinking Funds – Revenues  
Review Budget Expenditures  
ADDITION: The Board will review a resolution presented by the  
Coalition of Vermont Municipalities – Recreation Committee will meet with the  
Board to go over Recreation Maintenance at the Community Center

**Wednesday, December 29, 2004 6:00 to 8:00 PM**  
Approval of 2005 / 2006 Budget

**Next Regularly Scheduled Selectmen's Meeting:**

**Wednesday, December 15, 2004 at 6:00 PM**

**Town of Winhall Select Board Special Meeting**

**Tuesday, December 28, 2004  
6:00 to 8:00 PM**

**Minutes of Resolution Presented by the Coalition of Vermont Municipalities  
at Selectboards Budget Meeting**

**Agenda**

**ADDITION:** The Board will review a resolution presented by the Coalition of Vermont Municipalities.

**PRESENT:** Chairman Frank Pinto, Vice Chairman Randy Ameden, Treasurer Kathryn Coleman, Town Administrator Dennis McCarthy and Anthony DeFrancesco.

Chairman Pinto opened the meeting a 6:00 PM. Discussion on a resolution presented to the Board by the Coalition of Vermont Municipalities took place for approximately 30 minutes. The Town of Winhall is a member of the Coalition.

Discussion ceased at 6:30 PM and Chairman Pinto moved to sign the resolution presented by the Coalition. Seconded by Vice Chairman Ameden; motion carried, unanimous.

Chairman Pinto moved to begin work on the budget portion of the meeting. Motion seconded by Vice Chairman Ameden; motion carried, unanimous.

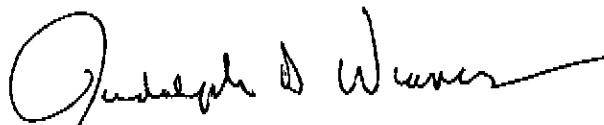
**ADJOURNMENT:** Chairman Pinto moved to adjourn; seconded by Vice Chairman Ameden; motion carried, unanimous. Board adjourned at 10:00 PM.

**Next Regular Meeting: January 5, 2005 at 6:00 PM**

**Respectfully Submitted: Dennis C. McCarthy, Town Administrator**

  
**Frank Pinto, Chairman**

  
**Randy Ameden, Vice Chairman**

  
**Rudolph Weaver, Member**



**Town of Winhall Select Board Meeting  
December 1, 2004  
Agenda**

**Call To Order: Meeting begins at 6:00 PM and adjourns at approximately 9:00 PM**  
**Approval of Minutes: from November 17, 2004**  
**Review Bills/Sign Orders – 6:00 to 6:30 PM**

**Public Comments**

**DEPARTMENT REPORTS**

**Police/Rescue**

Chief Whitesell's Monthly Department Report-first meeting of the month

**Buildings/Maintenance**

Facilities Manager Nancy Oakes Monthly Department Report-second meeting of the month

**Roads**

Letter to Chris Franco – discontinuance of Snow Valley Road

Letter to Larry Brown Excavation – installation of driveway without access permit

D & L Builders access permit for #1 Greentree Road

Pete Fusaro private road naming – Indian Head Road (Pvt)

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Ronald and Linda Franks E-911 numbers for four units off of Route 30

Route 30 Bridge Lights – need for electrician

**Transfer Station**

**Old/Unfinished Business**

MSA amendment report from AOT – report from Louis Berger Group, Inc.

Zoning Administrator – software and computer needs – reporting forms

Bennington County Court Budget

**New Business**

Dates for budget meetings – [December 7- 6:00 to 8:00 PM Highway Budget]

[December 9 – 6:00 to 8:00 PM Facilities Budget]

[December 13 – 6:00 to 8:00 PM Police Department Budget]

[December 14 – 6:00 to 8:00 PM Administration Budget]

[December 15 – 8:00 to 8:30 PM review Budget Expenditures]

[December 21 – 6:00 to 8:00 PM finish 2005/2006 Budget]

**Administrative**

PayData payroll service – sign agreement documents

**Announcements/Correspondence:**

See Attached Reading List

**Executive Session:**

Personnel Contract – It is assumed that the Board of Selectmen will move to go into executive session

**Adjourn      Next Regular Meeting: December 15, 2004 at 6:00 PM Over Please**

**December 1, 2004 Material Reading List for the Board of Selectmen**

- 1) VLCT News Latest Stormwater Decision Raises Questions – Independent Officers and Personnel Policies – Unemployment Board Finalizes 2005 Rates and Credits – CLASSES – Managing the Municipal Highway System on Wednesday, December 8, 2004 in Berlin, Vermont – Planning & Zoning Series #2: Required Changes to Zoning Bylaws by September 2005 on Thursday, December 16, 2004 at Vermont Interactive Television.
- 2) Letter to Chris Franco regarding the discontinuance of Snow Valley Road from his property line to Route 11/30.
- 3) *Windham Regional Commission Cross-Town Talks Fall 2004*
- 4) Letter to Delurey Sales and Service, Inc, relating to the 200 International Truck Model 2574.
- 5) Act 250 entry of appearance of the Agency of Natural Resources, State of Vermont on application #2W11888 – Michael and Joan Dritz.
- 6) VLCT Legislative Preview and Strategy Session – Manchester, Vermont Friday, January 14, 2005 – Town Offices 9:00 – 11:00 AM
- 7)
- 8)
- 9)
- 10)

**TOWN OF WINHALL SELECTBOARD**

**Meeting Minutes for Wednesday, December 1, 2004**

**PRESENT:** Randy Ameden, Rudy Weaver, Jeff Whitesell (WPD), Randy Kimball (WHD), Lucia Wing, Secretary, Dennis McCarthy, Town Administrator

**ABSENT:** Frank Pinto, Nancy Oakes (Buildings)

**IN ATTENDANCE:** Kate Coleman (Town Treasurer), Tony DeFrancesco, Julie & Larry Glass, Sandy Mackinnon (ZBA)

**CALL TO ORDER:**

Ameden called the regular meeting to order at 6:00 PM at the Town Hall.

**PAY ORDERS:**

After review, Ameden made the motion to approve pay order(s) #29, 30, 31 as presented; seconded by Weaver; unanimous.

**MINUTES OF PAST MEETING(S):**

After review, Ameden made the motion to approve the meeting minutes of November 17, 2004 as amended; seconded by Weaver; unanimous.

**PUBLIC COMMENT(S):**

(None)

**LISTER(S) REPORT:**

(No Report)

**PUBLIC SAFETY (POLICE/FIRE/RESCUE) REPORT:**

1) Chief Whitesell and the Selectboard discussed the November monthly police report including traffic tickets and warnings, law incidents, and agency assists outside of Stratton and the Town of Winhall. Whitesell gave the SB a burglary update; the WPD's role in finding a 91 yr. old man on the Long Trail near Bromley Mountain; and an update on the Coffin murder case. Whitesell explained the case would likely go to trial in January and the WPD would be called in to give their testimony.

2) Whitesell reported WPD Officer Gregory Gould had graduated from the Vermont Police Academy in Pittsford; Officer Lucy Newton's police dog had received a Kevlar vest worth \$650 donated by Truly Unique Gift Shop; and Officer Tom Crowe was scheduled for back surgery at Dartmouth/Hitchcock Hospital; he would be out of commission for approximately 5-6 weeks. Whitesell reported Officer Patrick Ross's wife had recently had a new baby; the Selectboard unanimously voted to send her flowers.

3) Whitesell reported the Winhall Police Department had been awarded a night vision kit from the Department of the Army- Technology Transfer Program which Whitesell had recently attended; he would assign the night vision equipment to Officer Lucy Newton. Whitesell also reported that the AED Unit used for rescue work had been recalled; he would investigate replacing it with a comparable unit at a good price.

#### **HIGHWAY & ROADS REPORT:**

1) After making minor changes to the letter from the Town of Winhall to Chris Franco re: discontinuance of Snow Valley Road from Franco's property line to Route 30, Ameden made the motion to approve the letter as amended; seconded by Weaver; unanimous. The Selectboard unanimously approved the letter from the Town of Winhall to Larry Brown Excavation re: installation of a driveway without an Access Permit; motion by Weaver; seconded by Ameden; unanimous.

2) After review, the Selectboard approved Access Permits for D & L Builders (#1 Greentree Road); Steven Dear (#4 Highwood Road); and Linda & Ronald Franks (#297, #299, #301, #303 Route 30).

3) For safety purposes, the Selectboard agreed to assign Pete Fusaro a 911 number for his logging road off Route 30; when Fusaro started the subdivision process he would have to reapply for a road name and would also receive new 911 numbers.

4) Because of the variable Town road conditions in the winter, Randy Kimball made the decision not to attend the Management Seminar series beginning in January and running through the following October.

5) Before calling in Sparky Electric to fix the Route 30 bridge lights, the Selectboard asked Kimball to replace the bulbs first to determine if they were bad or not. Kimball reported the grader, backhoe, and loader all had been recently re-registered.

**TOWN TRANSFER STATION REPORT:**

Kimball reported that Sparky Electric had made the necessary electrical repairs at the Transfer Station.

**MUNICIPAL BUILDING(S) REPORT:**

(No Report)

**OLD-UNFINISHED BUSINESS:**

- 1) The Town Administrator reported he had had a recent telephone conversation with the AOT regarding the validity of the report from the Louis Berger Group regarding the MSA amendment. According to the AOT, the report regarding the safety and cost of the passing lanes received from the Berger Group was "in line". In addition, the AOT stated the Berger Group was on their State bidding list. The Selectboard asked the Town Administrator to get the above information in writing from the AOT.
- 2) The Selectboard and the Town Administrator discussed new software for the Zoning Administrator (cost \$650-\$820). The Zoning Administrator would need a new computer to handle the new software. McCarthy suggested giving Driscoll his computer which could handle the information; McCarthy would then investigate kind and the cost of replacing his computer as he needed more memory.
- 3) The Town Administrator reported the Bennington County budget was not yet ready.

**NEW BUSINESS:**

Dates for the budget meetings were scheduled as follows: Dec. 7<sup>th</sup> 6:00 to 8:00 PM (WHD); Dec. 9<sup>th</sup> 6:00 to 8:00 PM (Facilities); Dec. 13<sup>th</sup> 6:00 to 8:00 PM (WPD); Dec. 14<sup>th</sup> 6:00 to 8:00 PM (Administration); Dec. 15<sup>th</sup> 6:00-8:00 PM (review budget expenditures); and Dec. 21<sup>st</sup> 6:00-8:00 PM (finish 2005/2005 budget). The SB asked Kate Coleman to attend.

**ADMINISTRATIVE BUSINESS:**

1) After review, Ameden made the motion to approve the appointment of Larry Glass to the Zoning Board of Adjustment; seconded by Weaver; unanimous. Glass was filling the position resigned by Stuart Fause.

2) After review, the Selectboard reviewed the amended Town tax rate (see attached). They also signed witnessed documents only re: PayData's payroll service agreement.

**ANNOUNCEMENTS & CORRESPONDENCE:**

Announcements and correspondence included VLCT News update; Windham Regional Commission Cross-Town Talks; letter to Delury Sales & Service re: 200 International Truck Model #2574; Act 250 entry of appearance Joan & Michael Dritz (23) lot subdivision in Winhall; and VLCT Legislative Preview and Strategy Session.

**EXECUTIVE SESSION:**

At 8:05 the Selectboard voted to go into executive session to discuss personnel contract(s); motion by Weaver; seconded by Ameden; unanimous. At 8:26 PM the Selectboard voted to come out of executive session; motion by Ameden; seconded by Weaver; unanimous. The Selectboard voted to promote Gregory Gould from Patrolman Trainee to Patrolman 1<sup>st</sup> Class effective December 1, 2004; the week ending December 3, 2004 will reflect the change in rank. Motion by Ameden; seconded by Weaver; unanimous.

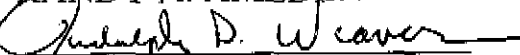
As there was no other business, the meeting was adjourned at 8:30 PM. Motion by Weaver; seconded by Ameden; unanimous.

**Next Meeting: Wednesday, December 15, 2004 at 6:00 PM.**

Lucia Wing, Secretary Winhall Selectboard

\_\_\_\_\_  
FRANK PINTO, CHAIR

  
RANDY A. AMEDEN

  
RUDOLPH D. WEAVER

TOWN OF WINHALL, VERMONT

SETTING THE TAX RATE FOR 2004-2005

July 7, 2004 November 15, 2004 Revision

2004/2005 TOWN TAX RATE COMPUTATIONS

2004/2005 TOWN TAX RATE COMPUTATION CORRECTED

2004/2005 AMOUNT TO BE RAISED BY TAXES FROM 2004/2005 PRINTED BUDGET

\$1,306,685.00

2004/2005 AMOUNT TO BE RAISED BY TAXES FROM ADJUSTED ITEMS BELOW

\$1,203,685.00

Budget 04/05 = \$1,875,885.00 – vote at floor meeting to remove \$11,000.00  
= \$1,864,885.00 total expenses  
Revenues = \$92,000.00 Stratton/Winhall PD Agreement plus \$569,200.00  
= \$661,200.00 plus the amount to be raised by taxes \$1,203,685.00  
= \$1,864,885.00 Total Revenues

TOWN OF WINHALL GRAND LIST FOR 2004 MAIN DISTRICT

\$4,710,055.80

Divide amount to be raised by taxes (\$1,306,685.00) by Winhall's 2004 Grand List (\$4,710,055.80) = \$0.2775 \$0.2775 will raise \$1,307,040.00 in taxes. \$355.00 more than the \$1,306,685.00 needed in taxes.

Divide amount to be raised by taxes (\$1,203,685.00) by Winhall's 2004 Grand List (\$4,710,055.80) = \$0.2556 \$0.2556 will raise \$1,203,890.20 in taxes. \$205.20 more than the \$1,203,685.00 needed in taxes.

**The 2004/2005 Town Tax Rate is \$0.2775**

The 2003/2004 Town Tax Rate was \$0.295

The 2002/2003 Town Tax Rate was \$0.33

**The 2004/2005 Town Tax Rate Adjusted \$0.2665**

The 2003/2004 Town Tax Rate was \$0.295

The 2002/2003 Town Tax Rate was \$0.33

The Town raised \$51,810.60 more than was required. The 2005/2006 Budget will start off with a revenue of \$51,810.60 that will be added to any other revenue that may occur.

TOWN OF WINHALL, VERMONT

SETTING THE TAX RATE FOR 2004-2005

July 7, 2004 November 15, 2004 Revision

2004/2005 TOWN TAX RATE COMPUTATIONS

2004/2005 TOWN TAX RATE COMPUTATION CORRECTED

2004/2005 AMOUNT TO BE RAISED BY TAXES FROM 2004/2005 PRINTED BUDGET

\$1,306,685.00

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= \$1,864,885.00 total expenses  
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**The 2004/2005 Town Tax Rate is \$0.2775**

The 2003/2004 Town Tax Rate was \$0.295

The 2002/2003 Town Tax Rate was \$0.33

**The 2004/2005 Town Tax Rate Should Have Been \$0.2665**

The 2003/2004 Town Tax Rate was \$0.295

The 2002/2003 Town Tax Rate was \$0.33

The Town raised \$51,810.60 more than was necessary. The 2005/2006 Budget will start off with a surplus of \$51,810.60 that will be added to any other surplus that may occur.



TOWN OF WINHALL EDUCATION TAX RATE FOR 2004/2005 CALCULATED BY  
THE VERMONT COMMISSIONER OF TAXES, MR. TOM PEJHAM, (802) 828-5860

**HOMESTEAD TAX RATE**

Base Homestead Tax Rate: \$1.05  
District Spending Adjustment: \$1.45900  
Common Level of Appraisal (CLA): 95.57%

**The 2004/2005 Homestead Tax Rate to be assessed: \$1.6029**

**The 2004/2005 Combined Town Tax Rate and Homestead Tax Rate to  
be Assessed: \$1.8804**

**The 2004/2005 Revised Combined Town Tax Rate and Homestead Tax  
Rate to be Assessed: \$1.8694**

**NON-RESIDENTIAL TAX RATE**

Base Non-Residential Tax Rate: \$1.54  
Common Level of Appraisal (CLA): 95.57%

**The 2004/2005 Non Residential Tax Rate to be assessed: \$1.6114**

**The 2004/2005 Combined Town Tax Rate and Non-Residential Tax  
Rate to be Assessed: \$1.8889**

**The 2004/2005 Revised Combined Town Tax Rate and Non-Residential  
Tax Rate to be Assessed: \$1.8779**

The calculations; on this document are hereby accepted by the Town of Winhall Board of  
Selectmen.

Frank Pinto, Chair

Randy Ameden, Vice Chair

Rudolph Weaver, Member

Prepared by Dennis C. McCarthy, Town Administrator  
July 7, 2004

TOWN OF WINHALL EDUCATION TAX RATE FOR 2004/2005 CALCULATED BY  
THE VERMONT COMMISSIONER OF TAXES, MR. TOM PELHAM, (802) 828-5860

HOMESTEAD TAX RATE

Base Homestead Tax Rate: \$1.05  
District Spending Adjustment: \$1.45900  
Common Level of Appraisal (CLA): 95.57%

**The 2004/2005 Homestead Tax Rate to be assessed: \$1.6029**

**The 2004/2005 Combined Town Tax Rate and Homestead Tax Rate to  
be Assessed: \$1.8804**

**The 2004/2005 Revised Combined Town Tax Rate and Homestead Tax  
Rate to be Assessed: \$1.8694**

NON-RESIDENTIAL TAX RATE

Base Non-Residential Tax Rate: \$1.54  
Common Level of Appraisal (CLA): 95.57%

**The 2004/2005 Non Residential Tax Rate to be assessed: \$1.6114**

**The 2004/2005 Combined Town Tax Rate and Non-Residential Tax  
Rate to be Assessed: \$1.8889**

**The 2004/2005 Revised Combined Town Tax Rate and Non-Residential  
Tax Rate to be Assessed: \$1.8779**

The calculations; on this document are hereby accepted by the Town of Winhall Board of  
Selectmen.

Frank Pinto, Chair

Randy Ameden, Vice Chair

Rudolph Weaver, Member

Prepared by Dennis C. McCarthy, Town Administrator  
July 7, 2004



# WINHALL POLICE & RESCUE

P.O. Box 139  
Bondville, VT 05340



*Jeffery L. Whitesell*  
*Chief of Police & Rescue*

## WINHALL POLICE & RESCUE MONTHLY REPORT NOVEMBER 2004

INCIDENT	WINHALL	STRATTON	TOTALS
ALARMS	23	0	23
ANIMAL PROB	1	0	1
AGENCY ASST.	10	0	10
ASSAULT	1	0	1
ATV ACCIDENT	0	1	1
BURGLARY	2	1	3
CANINE USE	1	1	2
CITIZEN ASSIST	2	0	2
CITIZEN DISPUTE	1	0	1
DRUG OFFENSE	1	0	1
FIRE	1	0	1
911 HANGUPS	6	1	7
MV/ACCIDENTS	2	0	2
MV/DISTURBANCE	2	0	2
MEDICAL	1	2	3
MISSING PERSON	2	0	2
MOTORIST ASSIST	2	0	2
SUSPICIOUS	1	1	2
THEFT	1	0	1
TRAFFIC HAZARD	3	0	3
TRAFFIC OFFENSE	1	0	1
VIN VERIFICATION	1	0	1
TOTAL	65	7	72
TICKETS	10	0	10
WARNINGS	14	0	14
TOTAL	24	0	24
MONTH TOTALS	89	7	96



# WINHALL POLICE & RESCUE

P.O. Box 139  
Bondville, VT 05340



*Jeffery L. Whitesell*  
*Chief of Police & Rescue*

## AGENCY ASSISTS

DATE	LOCATION	AGENCY	REASON
11/18/04	MANCHESTER	MANCH PD	Assist w/ arrest Maplefields Conv. Store
11/24/04	SHAFTSBURY	VSP	Armed Robbery/Chocolate Barn Rt 7A
11/29/04	LONDONDERRY	VSP	Alarm/Under Mtn Rd

## Bennington Banner

### Coffin murder case to go to trial

By ZACH CHURCH  
Staff Writer

**Tuesday, November 16, 2004** - BENNINGTON -- Bruce Dodge will likely face trial in January for the murder of his nephew, after rejecting a plea deal Monday that would have put him in jail for at least 12-and-a-half years.

"He won't plead to second-degree murder," said Deputy State's Attorney David Fenster after a hearing in Bennington District Court. Dodge would "seriously consider" a plea to the lesser charge of manslaughter, his attorney, Frederick Bragdon, has said.

Dodge, 45, is accused of shooting his 37-year-old nephew, Peter Coffin, at their Winhall home on Oct. 19, 2003. Police found Coffin's body in Dodge's basement five days later, according to police documents.

Without a plea agreement, Judge David Suntag ordered that a trial be scheduled, most likely to begin either Jan. 6 or Jan. 10. Lawyers have nearly completed preliminary interviews of witnesses. The trial is expected to last for five days. Picking a jury could take as long as a day, Bragdon said.

"We believe it's a murder," said Bennington County State's Attorney William Wright. "The facts support a murder."

But Bragdon said he has "a lot" of witnesses who could testify to Coffin's character. They "tend to support Mr. Dodge's claim to self-defense," he said. Coffin was a former military man who was stronger than Dodge and threatened him on the night of the alleged killing, Bragdon has said.

Coffin's girlfriend at the time of his death, who asked not to be named, said Coffin was a good man who moved to Winhall to take care of his ailing mother. She is not scheduled to testify, she said.

Bragdon was not sure if Dodge would testify.

Dodge could face life in prison if convicted of murder in the second degree.

But Bragdon said the facts of the case support only a manslaughter conviction. Instructions to the jury at trial time could allow them to return a verdict of manslaughter, the lesser charge, he said.

Dodge is accused of killing Coffin at his home on Slade Road in Winhall. Dodge and Coffin, who fought often when drunk, argued on the night of Oct. 19, 2003, according to police documents. Dodge and his sister Alice Dodge - Coffin's mother - both told police that Coffin had been hunting coy dogs on the property when he shot a deer that Dodge had been baiting, although Bruce Dodge had told him not to.

Police reports allege that an argument ensued and Dodge threw Coffin out of the house. Dodge told police that Coffin returned later that evening and argued with him, threatening to kill him.

As Coffin entered through the home's basement stairs, Dodge fired a 20-gauge shotgun through the cellar door, according to reports. Dodge told police that he had only intended to scare Coffin off, not to hurt him.

Both Alice and Bruce Dodge then tried to move Coffin's body up the stairs, but were not able to, Alice Dodge told police. A hole that looked like a grave had been dug on Dodge's property, police reports show.

Dodge has been held without bail since his arrest. He is currently in custody at Marble Valley Correctional Facility in Rutland. Saturday is his 46th birthday.

# Bennington Banner

## 91-year-old walks out after night on Long Trail

By ZACH CHURCH

Staff Writer

**Monday, November 15, 2004** - WINHALL -- A 91-year-old Manchester-area man was healthy enough to walk out of the woods on his own after being rescued from a cold night on the Long Trail early Friday morning.

The man was found by rescuers at about 1 a.m., according to Josh Rosenblum, a Winhall police officer who assisted in the search. Rosenblum said the man, whose name he did not know, had hiked into the woods from the intersection of Route 30 and Route 11 in Winhall earlier in the day.

An acquaintance of the man alerted rescuers to his disappearance around 5 p.m. The man was outfitted for a day hike. He was found at the Bromley shelter on the trail. Rosenblum was unsure why the man had decided to spend the night there.

About 20 or 30 rescue workers assisted in the search, Rosenblum said. Search dogs were used to help find the man.

Once found, the man was checked out by EMTs and was given a ride home, Rosenblum said, but he also noted that the man was healthy enough to walk out of the woods himself.

Assisting in the search were: Vermont State Police Search Team, Southern Vermont Wilderness Search and Rescue, New England Canine Search Team, Upper Valley Rescue, Winhall Police and Rescue, Manchester Rescue Squad, and the Winhall Fire Department.

## Hug for his hero



VYTO STAHINSKAS / RUTLAND HERALD

**Winhall Police Department Officer Gregory Gould gets a hug from his son, KC, during the Vermont Police Academy graduation in Pittsford on Friday. Thirty-four police officers from all over the state graduated in the ceremony. See story, Page B4.**



DONATED BY WOMAN WHO OWNS  
Truly Unique Gift Shop in Rutland. K. Kinville  
gave her my name & she sent me a vest (~\$650.00).

- Lucy





**DEPARTMENT OF THE ARMY**  
U.S. ARMY ELECTRONIC PROVING GROUND  
POST OFFICE BOX 12718  
FORT HUACHUCA, ARIZONA 85670-2718

November 22, 2004

Special Programs Office

Chief Jeffery L. Whitesell  
Winhall Police Department  
107 Route #30  
Bondville, Vermont 05340

Dear Chief Whitesell,

Thank you for your participation in the Technology Transfer Program. The program is sponsored and funded by the Office of National Drug Control Policy, Counterdrug Technology Assessment Center (ONDCP / CTAC). My organization, the United States Army Electronic Proving Ground (EPG), administers the program on behalf of ONDCP / CTAC.

We are pleased to provide a Night Vision kit to your organization. The kit contains a suite of low-light amplifying imaging devices and accessories for night surveillance activities. Your shipment contains one (1) Night Vision kit with supporting hardware and documentation. In addition, included is a DD1149 Form, which permanently transfers the equipment to your agency. Please sign and return in the prepaid envelope by December 6, 2004.

Any questions may be directed to our toll-free number, 1-877-EPG-CTAC (1-877-374-2822) or by electronic mail at [ttp@epgctac.com](mailto:ttp@epgctac.com)

  
for L. J. Shnider  
Program Director

802-442-2036

Substitute District-wide.

w/one car garage. For more info. call 442-7307 after 5:00 pm.

Have the Banner delivered right to your doorstep! Call 447-7567



ARE YOU BORED? Local dance group starting up. All levels welcome. No try-outs. Call (802) 442-6215, or (802) 379-5084, ask for John.

1 BDRM. IN town, no smoking, no pets, \$550. w/heat. Call Tim 442-2371.

1 BDRM, UTILITIES included, in country, non-smoking, \$695/mo 447-7138.

2 BDRM. 1ST floor, includes heat, washer/dryer hookup, parking, rubbish removal. Private porch. \$700/mo. Available 1/15. Call 442-4977.

POWNAL. 3 BDRM., acre lot, now available, \$875. 1st, last & security, references. 802-823-5358.

SMALL, 2 BDRM., house, washer/dryer hook up, in town location, off street parking. \$650/mo. plus utilities. 802-464-2414.

SMALL, 3 BDRM .. security, 1st & last mo. Credit check. \$875., no utilities. 442-9301.

http://www.nc.gov/ncapp

PANDA GARDEN, BENNINGTON location, has openings in all positions. Call 962-9139.

PART TIME BUS drivers, CDL, w/passenger endorsement, ideal for school bus drivers, hours are week-ends & school vacations.(adult passengers). Starting \$115. per day. Call 419-663-3763.

January 05, 2005  
Selectmen's Regular Board Meeting  
Wednesday, January 05, 2005 6:00pm • 9:00pm

Public Informational Meeting:  
The chairman for the Town of Winhall Select board will open a Public Informational Meeting on Wednesday, January 5, 2005 from 7:00pm to 7:30pm to review the Stratton Corporation/ Winhall Municipal Services Agreement (MSA) amendment.

January 19, 2005  
Selectmen's Regular Board Meeting  
Wednesday, January 19, 2005 6:00pm • 9:00pm

Public Informational Meeting:  
The Chairman for the Town of Winhall Select board will open a Public Informational Meeting on Wednesday, January 19, 2005 from 7:00pm to 7:30pm to review the Town Meeting Articles that will be presented to the voters on March 1, 2005, Town Meeting Day.

The Berkshire Eagle

### Computer Technician

New England Newspapers, Inc. has an immediate opening in the IT department for a repairs/support technician. Some irregular hours and travel within a 70 mile radius required. Experience in Windows and MAC hardware OS support a must.

Some network knowledge is a plus. Candidate will have after hours and on-call responsibilities. Strong interpersonal skills and multitasking ability a must. Full benefit package.

Send resume and cover letter to:  
New England Newspapers, Inc.  
P.O. Box 1171  
Pittsfield, MA 01202  
Fax: 413-442-7611  
Email: ashank@berkshirraagle.com

ELK2011

The Berkshire Eagle

### Sy Op

The Berks for an individual shift as system HP3000 systrix operating will involve hardware support of the newspaper including PC networks.

Experienced system runner Collier-Jacks plus, but will have after hours responsibilities.

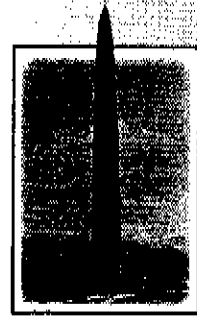
This position full benefits p 401(k), health vacation, etc.

If interested, letter, resume samples Human Resources The Berkshire Eagle Pittsfield

*Filed select Dist Records Elizabeth Jones*

# Keep up with what's what...

# Subscribe



# Bennington

## 2004 TOWN MEETING WARNING

The legal voters of the Town of Winhall are hereby warned and notified to meet at the Winhall Community Center at the Mountain School on **TUESDAY MARCH 1, 2005** to transact the following business;

(The polls will be open for voting on Articles requiring Australian Ballot at **10:00 AM** and will close at **7:00 PM**)

ARTICLE 1. To elect all town officers as required by law (Australian Ballot)

ARTICLE 2. To Determine: Shall the Town approve the budget proposed by the Select Board and authorize the Winhall Board of Selectmen to set a tax rate to provide for the same? (Floor Vote)

ARTICLE 3: To Determine: Shall the Winhall Board of Selectmen be authorized to borrow money for the Town in anticipation of taxes and federal and state monies allotted to the Town? (Floor Vote)

ARTICLE 4: To Determine: Shall the Winhall Board of Selectmen be authorized to borrow an amount not to exceed two hundred seventy thousand dollars (\$270,000) for a period not to exceed five years for the purchase of a Fire Truck? (Floor Vote)

ARTICLE 5: To Determine: Shall the voters of the Town of Winhall create a Municipal Facilities Reserve Fund and appropriate \$25,000 for its support? (Floor Vote)

ARTICLE 6: To Determine: Shall the voters of the Town of Winhall create a Town Sand/Salt Shed Reserve Fund and appropriate \$50,000 for its support? (Floor Vote)

ARTICLE 7: To Determine: Shall the voters of the Town of Winhall create a Tax Re-Appraisal Reserve Fund and appropriate \$20,000 for its support? (Floor Vote)

ARTICLE 8: To Determine: Shall the voters of the Town of Winhall create an Emergency Relief Fund and appropriate \$500 for its support? (Floor Vote)

ARTICLE 9. To Determine: Shall the Winhall Board of Selectmen be authorized to petition the proper officials of the State of New Hampshire that the Town of Winhall become a municipality of the State of New Hampshire, and that in the event such petition receives favorable consideration, the Winhall Selectboard is authorized to file such further petitions with governmental authorities, including, but not limited to, the Vermont Legislature and the Congress of the United States, and to take such further actions as may be necessary, so that the Town of Winhall may become a municipality of the State of New Hampshire and to expend an amount not to exceed ten thousand dollars for this purpose (\$10,000)? (Floor Vote)

ARTICLE 10. To Determine: Shall the Winhall Board of Selectmen be authorized to deposit any and all funds received from Stratton Corporation in connection with the deletion of the passing lanes on the Access Road in the Municipal Facilities Reserve Fund? (Floor Vote)

ARTICLE 11. To transact any other business that may legally come before the meeting.

2004 TOWN MEETING WARNING

Page 2

Dated this 19th day of January 2005

Frank Pinto, Chairman

Randy Ameden, Vice Chairman

Rudolph Weaver, Member

**Town of Winhall Select Board Meeting**  
**December 15, 2004**  
**Agenda**

**Call To Order: Meeting begins at 6:00 PM and adjourns at approximately 9:00 PM**

**Approval of Minutes: from December 1, 2004**

**Review Bills/Sign Orders – 6:00 to 6:30 PM**

**Public Comments**

Michael Jenks – Town Property located on the Access Road

**DEPARTMENT REPORTS**

**Police/Rescue**

Chief Whitesell's Monthly Department Report-first meeting of the month

Ball Mountain Agreement – Matt Underwood

**Buildings/Maintenance**

Facilities Manager Nancy Oakes Monthly Department Report-second meeting of the month

**Roads**

Appeal by Larry Brown Excavation on Selectmen's Letter – installation of driveway without access permit  
Highwood Road Extension

Tim Apps access permit for #146 Winhall Hollow Road

Joseph Sullivan access permit for #33 Sylvan Ridge Rd. #39 Sylvan Ridge Road will  
be deleted.

Olsen and Doruk – Haviland Lot #3 subdivision – access permit west side  
of Lower Taylor Hill Road

**Transfer Station**

**Old/Unfinished Business**

MSA amendment report from AOT – report from Louis Berger Group, Inc.

Zoning Administrator - software and computer needs - reporting forms

Bennington County Court Budget

**New Business**

Town Fire Warden – charging for burn permits - \$1.00 to \$3.00 each

Dates for budget meetings – Wednesday [December 15 – 8:00 to 8:30 PM review Budget  
Expenditures, Library, Recreation Department, Fire & Rescue  
Department]

Thursday [December 16 – 11:00 AM to 1:00 PM Custodial Services, Municipal Building, Community Center,  
Town Office Building, Street Lights, Special Project – Sidewalk]

Tuesday [December 21 – 6:00 to 8:00 PM finish 2005/2006 Budget]

Tuesday [December 28 - 6:00 to 8:00 PM Appropriations, Reserve funds, Sinking funds,  
revenues, Review Budget expenditures]

Wednesday [December 29, 2004 6:00 to 8:00 PM approval of 2005/2006 Town  
Budget]

**Administrative**

Errors and Omissions – Town Treasurer

PayData payroll service – update

Bondville Village Sidewalk \$15,00.00 Enhancement Grant Awarded

**Announcements/Correspondence:**

See Attached Reading List

**Executive Session:**

Personnel Contract – It is assumed that the Board of Selectmen will move to go into executive  
session

**Adjourn      Next Regular Meeting: January 5, 2005 at 6:00 PM      Over Please**

**December 15, 2004 Material Reading List for the Board of Selectmen**

1) **OPINIONS Secretary of State** – 1. A vacancy is created when a newly elected official declines the office. – 8. JP'S take office on February 1<sup>st</sup>. – 9. Board must include petitioned funding request on warning. – 10. Town cannot limit requests for appropriation. – 11. Vermont does not recognize common law marriages. – 15 Mortgage discharge is \$7.00 per page – not per discharge. – 20. Boards cannot privately retreat to discuss board business. – Executive sessions do not have to be specifically warned. – 24. Public meetings must be held in an executive session.

2) **Potter Stewart, Jr. Law Offices, P.C.** – Nina Geller property

3) **Windham Solid Waste Management District** – Operator Training and District Services update

4) **How to make your Town or Regional Plan effective under act 250** – passed on to the Planning Commission.

5) **Fisher & Fisher new Attorney's Hourly Rate**

6) **West River Habitat for Humanity request for funds**

7) **Letter from State of Vermont to Joseph Papa, Jr.** concerning the request for jurisdictional opinion: co-location of nine panel antennas on existing tower and construction equipment building on summit of Stratton mountain.

8) **Cross Town Talks** – December 16, March 10, & June 9, Planning and Zoning seminars – January 10, cross town talk on housing – December 14, March 15, & June 14<sup>th</sup> Zoning Administrator workshops at WRC

9)

10)

**TOWN OF WINHALL SELECTBOARD**  
**Meeting Minutes for Wednesday, December 15, 2004**

**PRESENT:** Frank Pinto, Chair; Randy Ameden, Rudy Weaver, Jeff Whitesell (WPD), Randy Kimball (WHD), Lucia Wing, Secretary, Dennis McCarthy, Town Administrator

**ABSENT:** Nancy Oakes (Buildings)

**IN ATTENDANCE:** Kate Coleman (Town Treasurer), Tony DeFrancesco, Michael Jenks, Ed Molinelli, George Abel, Bob Oakes, Larry Brown, Matt Underwood (Park Ranger), Cindy Logan & John Casner (Rec. Comm.)

**CALL TO ORDER:**

Pinto called the regular meeting to order at 6:00 PM at the Town Hall.

**PAY ORDERS:**

After review, Ameden made the motion to approve pay order(s) #32, 33, 34 as presented; seconded by Weaver; unanimous.

**MINUTES OF PAST MEETING(S):**

After review, Ameden made the motion to approve the meeting minutes of December 1, 2004 as amended; seconded by Weaver; unanimous.

**PUBLIC COMMENT(S):**

1) *Michael Jenks* came before the Selectboard and submitted a site plan of his property located on the Access Road. Jenks' request was for the SB to consider an easement across Town land also located on the Access Road and adjacent to his property. He asked the SB if they would consider throwing up the land, or selling it to him outright. The Selectboard did not want to sell the property or throw it up, but they would consider an easement. Jenks explained he needed to use the area to install underground pipes in order to build a house on his non-conforming, undersized lot. He further explained that underground piping would not be visible nor disrupt Town property. The Selectboard would get back to Jenks after further investigation.

2) *Next Bob Oakes* came before the Selectboard with concerns relative to  
Selectboard- December 15, 2004- page 2

to the January 5, 2005 informational hearing regarding the MSA amendment re: passing lanes. Oakes felt the decision by the Selectboard to hold the hearing had not been discussed nor properly noticed. He could not find where in the minutes the decision had been made. After reviewing past minutes, the discussion concerning the informational hearing in January was found in the November 17, 2004 minutes under Old-Unfinished Business. The Selectboard reminded Oakes that an informational hearing prior to Town Meeting Day was not required, but they had made the decision to hold the hearing anyway. Oakes felt the meeting would be well attended. After further discussion, Pinto made the motion to hold the informational hearing on January 5, 2005 at 7:00 PM at the Town Hall in Bondville re: MSA amendment; seconded by Weaver; unanimous. The Town Administrator would post and publicize the hearing (15) days prior to the hearing as required.

**LISTER(S) REPORT:**

After review with the Town Treasurer, Pinto made the motion to approve the corrected property tax bill re: Doruk/Olsen- Haviland. Seconded by Weaver; unanimous.

**PUBLIC SAFETY (POLICE/FIRE/RESCUE) REPORT:**

1) Matt Underwood (Park Ranger) came before the Selectboard to discuss the Ball Mountain Agreement for the upcoming year between the Town of Winhall and the Winhall Campgrounds in Londonderry re: WPD patrol of the area. Underwood commented that the WPD had done an excellent job this past season. After further discussion, Pinto asked Underwood to come back to the next meeting with the written contract so that both parties could sign the agreement simultaneously. The Selectboard would come up with the rates the Town would charge for patrolling the campgrounds.

Next Whitesell reported that if the contract with Manchester was finalized, then Winhall rescue would be dispatched from Manchester, VT; the fire department would remain with Keene. The Selectboard asked Whitesell to find out what portion of the \$15,000 fee, currently paid by the Fire Dept. for the dispatch service, was apportioned to police and rescue. In the meantime, Whitesell would be testing out the new radios. Whitesell also reported the WPD had



been commended for its search and rescue efforts in finding the 91 yr. old man on the Long Trail.

**HIGHWAY & ROADS REPORT:**

1) Larry Brown came before the Selectboard as a result of a letter to him re: installation of a driveway without an Access Permit on Sylvan Ridge Road. Brown stated he had never seen an Access Permit and put the driveway where the owner told him to. Brown assumed the Access Permit had been applied for by Joseph Sullivan, the owner of the property. Brown went on to say that a temporary drive had been put in to allow the well driller access to the property; the temporary access was left and another access installed. There was no permit for the second access. Brown felt the responsibility should be the owner's not his. The Selectboard suggested excavators review Access Permit(s) before digging. Too many curb cuts were getting installed either without permits or put in the wrong place. The Town Administrator would send Joseph Sullivan a letter to try to resolve the issue.

2) After review, the Selectboard approved and signed the Access Permit for Tim Apps (#146 Winhall Hollow Road). They held back Access Permits for Joseph Sullivan (#33 Sylvan Ridge Road, deleting #39 Sylvan Ridge Road) and Olsen/Doruk (Lower Taylor Hill Road) for further investigation.

3) Randy Kimball asked that Winhall Woods Road be paved all the way to the top 2/10 of a mile; the road needed overall repair as well. He also asked that Highwood Road Extension be added to the road mileage required by the State.

**TOWN TRANSFER STATION REPORT:**

(No Report)

**MUNICIPAL BUILDING(S) REPORT:**

At the insurance company's recommendation, keys to the Mountain School-Community Center should be left in the building and accessible. The Town Administrator would draft a letter to that affect.

**OLD-UNFINISHED BUSINESS:**

- 1) The Selectboard reviewed the MSA amendment letter from the AOT (see attached) and reviewed the revised building permit application.
- 2) The Town Administrator reported the Bennington County budget was in the draft process.

**NEW BUSINESS:**

- 1) Dates for the budget meetings were scheduled as follows: Dec.15<sup>th</sup> 8:00-8:30 PM (review budget expenditures-Library, Recreation, Fire & Rescue); Dec. 16<sup>th</sup> 11:00 AM-1:00 PM Custodial, Municipal Building, Community Center, Town Office, street lights, special project-Sidewalk. Dec. 21<sup>st</sup> 6:00-8:00 PM (finish 2005/2005 budget). Dec. 28<sup>th</sup> 6:00 PM-8:00 PM (appropriations, reserve funds, sinking funds, revenues, review budget expenditures; Dec. 29<sup>th</sup> 6:00-8:00 PM (approval of 2005/06 Town budget).
- 2) After discussion, Pinto made the motion for Larry Jenks (Fire Warden) to issue and collect a \$2.00 fee per burn permit. Seconded by Ameden; unanimous.

**ADMINISTRATIVE BUSINESS:**

The Town Administrator reported that PayData payroll service would be ready to go by January 1, 2005. He also reported the Town had been awarded a \$15,000 Enhancement Grant to layout sidewalk improvements, etc. to the Village of Bondville.

**RECREATION COMMITTEE REPORT:**

- 1) Cindy Logan came before the Selectboard to give them a Recreation Board 2004 annual report & 2005 budget request. Logan stated the baseball field had been completed with the exception of the bleachers and fencing approximately \$10,000 more to install. The Committee would like to put in a skate park \$20,000-\$30,000 which Logan explained was what the kids all wanted. Insurance had been looked into, and the cost would not change. Logan and the SB also discussed the current condition of the soccer field; someone to be responsible for putting away recreation equipment; and adding recreation area flowerpots to the Beautification Committee's responsibilities. Logan also asked to have a Town picnic in 2005.

Selectboard- December 15, 2004- page 5

2) Logan announced the St. Patricks Day parade would be held Sunday, March 13, 2005 at 2:00 PM.

**ANNOUNCEMENTS & CORRESPONDENCE:**


Announcements and correspondence included Sec. of State "Opinions;" Potter Stewart, Jr. law offices re: Nina Geller property; WSWMD- operator training and district services update; Fisher & Fisher- new hourly rates; West River Habitat for Humanity- request for funds; State of Vermont letter request for jurisdictional opinion re: nine panel antennas on existing tower and construction equipment building on summit of Stratton; and Cross Town Talks.

**EXECUTIVE SESSION:**

At 8:30 the Selectboard voted to go into executive session to discuss personnel contract(s); motion by Weaver; seconded by Ameden; unanimous. At 9:00 PM the Selectboard voted to come out of executive session; motion by Ameden; seconded by Weaver; unanimous.

As there was no other business, the meeting was adjourned at 9:05 PM. Motion by Weaver; seconded by Ameden; unanimous.

**Next Meeting: Wednesday, January 5, 2005 at 6:00 PM.**

  
Lucia Wing, Secretary  
Winhall Selectboard

  
FRANK PINTO, CHAIR

  
RANDY A. AMEDEN

  
RUDOLPH D. WEAVER

CERTIFICATE OF HIGHWAY MILEAGE

YEAR ENDING FEBRUARY 10, 2005

Fill out form, make and file copy with the Town Clerk, and mail ORIGINAL, before February 20, 2005 to: VT Agency of Transportation, Program Development Division, Drawer 33, Montpelier, VT 05633.

We, the Selectmen or Aldermen or Trustees of WINHALL in BENNINGTON County

on an oath state that the mileage of highways, according to Title 19, V.S.A, Sec #305, added 1985, is as follows:

PART I - CHANGES TOTALS - Please fill in and calculate totals.

Table with 6 columns: Town Highways, Previous Mileage, Added Mileage, Subtracted Mileage, Total, Scenic Highways. Rows include Class 1, Class 1 Lane, Class 2, Class 3, State Highway, Class 4, and Total.

\* Class 1 Lane Mileage and Class 4 is NOT included in total.

PART II - INFORMATION AND DESCRIPTION OF CHANGES SHOWN ABOVE.

- 1. NEW HIGHWAYS: Please attach Selectmen's "Certificate of Completion and Opening".
2. DISCONTINUED: Please attach SIGNED copy of proceedings (minutes of meeting).
3. RECLASSIFIED/REMEASURED: Please attach SIGNED copy of proceedings (minutes of meeting).
4. SCENIC HIGHWAYS: Please attach a copy of order designating/discontinuing Scenic Highways.

IF THERE ARE NO CHANGES IN MILEAGE: Check box and sign below. [ ]

PART III - SIGNATURES - PLEASE SIGN.

Selectmen/ Aldermen/ Trustees Signatures:

Handwritten signatures of Frank R. Potts, Randy A. Amador, and Joseph D. Weaver.

Clerk Signature:

Handwritten signature of Elizabeth J. [unclear]

Date Filed:

JANUARY 24, 2005

Please sign ORIGINAL and return it for Transportation signature.

AGENCY OF TRANSPORTATION APPROVAL: Signed copy will be returned to T/C/V Clerk.

APPROVED:

Representative, Agency of Transportation

DATE:

RESOLVED, the Coalition of Vermont Municipalities is authorized, pursuant to the approval of its Board of Directors, to commence a lawsuit in the name of the Town of Winhall in Rutland Superior Court asserting that, by operation of 16 V.S.A. § 4025, the withdrawal of funds from the Education Fund for purposes other than payments to school districts and supervisory unions requires the repeal of the current education funding law, and to prosecute all claims thereunder, including any appeals. The cost of prosecution of the suit will be borne by the Coalition.

Frank R. Pinto  
Kathy A. Amodeo

Date: 12/28/04

Board of Selectmen