

TOWN OF WOODFORD, VT  
WOODFORD TOWN HALL  
BOARD OF SELECTMEN'S MEETING  
October 17, 2018 – Unapproved

MEMBERS PRESENT: Ryan Thurber, Mike Charette

ABSENT: Steve Wright

ALSO PRESENT: Mike Smith (Bennington Trail Cruisers), John Dovitski (Lister), Glenn Thurber (Lister), Susan Wright (clerk),

1. Ryan called the meeting to order at 7:00pm.

2. AGENDA ADJUSTMENTS

No changes to the agenda

3. PUBLIC COMMENTS

Mike Smith from the Bennington Trail Cruisers updated the board on the progress to the improvements of the ATV trail on the Stage Trail. He stated that the project has been very successful so far but they are done working for the season. They have gotten a lot done despite weather conditions. Materials have already been purchased for continuation of improvements to begin again in the spring. Discussion followed concerning legal requirements for ATV's. It was noted that the Stage Trail is a multi-use trail and therefore VAST or VASA registrations are not required. However, the importance of registering and insuring ATV's was stressed. The board thanked Mike for his consistent help and hard work on the project.

4. TREASURER'S REPORT

Susan presented the treasurer's report in Gail's absence.

A. Outstanding Bills

Ryan submitted a bill from Jason Morrissey for \$940 for work done as requested by the board. **Motion** by Ryan to approve the outstanding bills as presented for \$674,374.25 along with the additional \$940 for a total of \$675,314.25 (attached), 2<sup>nd</sup> by Mike. It was noted that \$672,858 was the school tax. No discussion; all in favor, **Motion Carried.**

B. Warrants

There were no discrepancies noted from last month's outstanding bills to this month's warrants.

**Motion** by Ryan to approve the warrant for the general account AP-9 as presented for \$14,674.44 (attached), 2<sup>nd</sup> by Mike. No discussion; all in favor, **Motion Carried.**

**Motion** by Ryan to approve the warrant for the payroll account #PR-9 as presented for \$3500.69 (attached), 2<sup>nd</sup> by Mike. No discussion; all in favor, **Motion Carried.**

**Motion by Ryan** to approve the warrant for the highway account #HW-9as presented for \$660.00 (attached), 2<sup>nd</sup> by Mike. No discussion; all in favor, **Motion Carried.**

5. APPROVAL OF MINUTES

**Motion** by Ryan to approve September's minutes as posted, 2<sup>nd</sup> by Mike. No discussion; all in favor, **Motion Carried.**

#### 6. LISTERS MEETING MINUTES-PROSPECT MTN.

John and Glenn reviewed the results of the meeting with Prospect Mountain and their request for tax exemption status. The listers denied the request with significant justification as stated in the Lister's minutes (attached). Both Ryan and John stated that David Newell from Prospect Mtn, had reached out and said they would not be pursuing an appeal to the BCA. Susan presented a letter from Carol Swanson requesting the offer from Prospect Mountain for free skiing and snowshoeing to be extended to include all homeowners in Woodford, not just full time residents. The board agreed that this request is now irrelevant based on the Listers' decision.

#### 7. ANR NOTICES

Susan reviewed the current projects ANR is currently working on in the Town of Woodford and the status of each one. These projects include Rte. 9 culvert improvement and the Town of Woodford Municipal Road General Permit both in the draft decision comment period. Also reviewed was the scheduled proposed actions updated by Green Mountain National Forest. These actions include the early Successional Habitat Creation Project, Somerset Integrated Resource Project, Woodford Lake Estates Snowmobile Trail Additions Project and Woodford State Park Permit Reissuance.

#### 8. BUDGET REVIEW

Discussion was held regarding the budget for the Listers and the amounts needed in regards to the re-appraisal for next year. The current budget reflects \$5000 towards this expense with an additional \$5000 planned for the 2019 budget. After further discussion it was decided to raise this to \$6000 along with possibility of having to add additional money in the 2020 budget. The board had previously decided to stagger the added reappraisal expenses in order to avoid a large increase in one year and cause any possible financial hardships on taxpayers. Susan stated that a restoration budget will be needed to start preserving the Town records. Ryan asked that a draft budget be ready for the next meeting. Mike offered to help Gail complete this task.

#### 9. OTHER BUSINESS

Ryan stated that the road signs ordered have not been put up yet. There is currently a conflict as to where to put the Dunnville Hollow Rd sign. Discussion will continue at next month's meeting when Steve is in attendance.

#### 10. EXECUTIVE SESSION

No executive session needed.

#### 11. ADJOURNMENT

**Motion** by Ryan to adjourn, 2<sup>nd</sup> by Mike; All in favor, **Motion Carried.**

Meeting adjourned at 8:15 -pm - NEXT MEETING NOVEMBER 21, 2018 at 7 pm. at THE WOODFORD TOWN HALL.

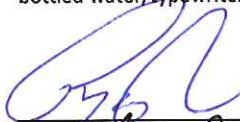
Susan Wright - Clerk

# TOWN OF WOODFORD OUTSTANDING BILLS

10/17/2018

VENDOR	PURPOSE	AMOUNT	ACCOUNT	CHECK #
BCN	phone	\$ 118.32	general	
Bennington Cty Sheriffs Dept.	Sept patrols	\$ 656.25	general	
Bennington Banner	ZBA hearing notice 10/8/18	\$ 77.08	general	
Green Mountain Power	electric		general	
Linda Dovitski	mileage to Rutland/lister class 228 miles @.545	\$ 124.26	general	
Woodford Hollow School	2018 taxes	\$ 326,551.00	Tax acct.	
Mount Anthony Union	2018 taxes	\$ 346,307.00	Tax acct.	
Robert Ferrara	refund tax credit 2011	\$ 30.20	Tax acct.	
AD3 Corp Adam Adamski	refund tax credit 2014	\$ 49.60	Tax acct.	
William Smith	tax overpayment 2018	\$ 28.45	Tax acct.	
Gail Rutkowski	Sept. banking mileage 64 miles @.545	\$ 34.88	general	
NEMRC	tax forms	\$ 48.00	general	
Vt State Treasurer	marriage license(paid Oct.11)	\$ 50.00	general	
Vt. Dept. Watershed Mgmt.	Administration Processing Fee (paid Oct. 1st)	\$ 240.00	general	
Susan Wright	reimbursement/postage bottled water/typewriter ribbon	\$ 59.21		
		\$ 674,374.25		

SELECTMEN:

  
Mike Charo 10/17/18

These bills listed are exclusive of the payroll tax required to be paid

Please include Jason Morrissey's  
 bill for \$940.  
 Thank you  
 invoice # 00187

10/01/18  
11:57 am

Town of Woodford Accounts Payable  
Check Warrant Report # AP-9 Current Prior Next FY Invoices  
For checks For Check Acct 01 (GENERAL) 09/01/18 To 09/28/18

Vendor	Invoice	Invoice Description	Purchase Amount	Discount Amount	Amount Paid	Check Number	Check Date
250	TREASURER STATE OF VERMONT	09/07/18 dog licenses	30.00	0.00	30.00	4310	09/07/18
153	VMCTA	10/18-9/19 membership renewal	55.00	0.00	55.00	4311	09/07/18
177	BCN TELECOMMUNICATIONS	22568479 phone	114.88	0.00	114.88	4312	09/14/18
55D	JOHN DOVITSKI	LAWN 2018 2018 lawn contract	1600.00	0.00	1600.00	4313	09/19/18
55D	JOHN DOVITSKI	CEMETERY balance 2018 cem. contra	2440.00	0.00	2440.00	4314	09/19/18
BATPC	BATCHELDER ASSOCIATES, PC	2461 2017 audit	8500.00	0.00	8500.00	4315	09/20/18
133	BENNINGTON COUNTY SHERIFF'S DE 30874	august patrols	568.75	0.00	568.75	4316	09/20/18
GKR	GAIL K. RUTKOWSKI	AUG 2018 aug banking mileage	51.23	0.00	51.23	4317	09/20/18
05	GMP GREEN MOUNTAIN POWER	09/10/18 electric	182.54	0.00	182.54	4318	09/20/18
218	IDS IDENTIFICATION SOURCE	19-086 animal tags	73.11	0.00	73.11	4319	09/20/18
JLR	JOSEPH RUTKOWSKI	08/31/18 reimbursement/vacumn	28.32	0.00	28.32	4320	09/20/18
23	NEMRC	42518 consult/tax bills/audito	812.50	0.00	812.50	4321	09/20/18
158	STAPLES	2149772271 office supplies	132.11	0.00	132.11	4322	09/20/18
09	THOMAS SWEET	788960 trash removal	56.00	0.00	56.00	4323	09/20/18
146	TOM DEPOLLO	AUGUST 2018 fire extinguisher servic	30.00	0.00	30.00	4324	09/20/18
Report Total			14,674.44	0.00	14,674.44		

Board of Selectmen

*[Signature]* 10/17/18

Mike Char *[Signature]* 10/17/18

To the Treasurer of Town of Woodford, We Hereby certify that there is due to the several persons whose names are listed hereon the sum against each name and that there are good and sufficient vouchers supporting the payments aggregating \$ \*\*\*\*14,674.44  
Let this be your order for the payments of these amounts.

09/28/18  
08:59 pm

Town of Woodford Payroll  
Check Warrant Report #PR-9  
Check date 09/01/18 to 09/28/18

Employee	Gross	Fringes	Reimburse	FWT	FICA	MEDI	SWT	SDI	Local	Oth Dedu	Net Amt	Elec Amt	Check No
KINNEY, JAMES R.	70.00	0.00	0.00	0.00	4.34	1.02	0.00	0.00	0.00	0.00	64.64	0.00	4308
KINNEY, JAMES R.	174.25	0.00	0.00	0.00	10.80	2.53	0.00	0.00	0.00	0.00	160.92	0.00	4307
KINNEY, JAMES R.	187.73	0.00	0.00	0.00	11.64	2.72	0.00	0.00	0.00	0.00	173.37	0.00	4309
Total of 3 items for 77K											398.93	0.00	
RUTKOWSKI, GAIL K.	1046.00	0.00	0.00	93.35	64.85	15.17	13.47	0.00	0.00	0.00	859.16	0.00	4304
RUTKOWSKI, GAIL K.	48.00	0.00	0.00	0.00	2.98	0.70	0.00	0.00	0.00	0.00	44.32	0.00	4325
Total of 2 items for GKR											903.48	0.00	
HARRINGTON, SANDRA D.	80.00	0.00	0.00	0.00	4.96	1.16	0.00	0.00	0.00	0.00	73.88	0.00	4306
WRIGHT, SUSAN C.	1894.71	0.00	0.00	174.49	117.47	27.47	59.42	0.00	0.00	0.00	1515.86	0.00	4305
											3500.69	0.00	
											267.84	0.00	
											217.04	0.00	
											50.77	0.00	
											72.89	0.00	
											0.00	0.00	
											2892.15	0.00	

To the Treasurer of Town of Woodford  
we hereby certify that there is due to the several persons whose  
names are listed hereon the sum against each name and that  
there are good and sufficient vouchers supporting the payments  
aggregating \$ \*\*\*2,892.15  
Let this be your order for the payments of these amounts.

Board of Selectmen  
*[Signature]* 10/17/18  
Mike Charitto 10/17/18

10/01/2018

12:03 pm

Town of Woodford Accounts Payable

Check Warrant Report # HW-9 Current Prior Next FY Invoices

Treasurer

All Manual\Direct Pays For Check Acct 03(HIGHWAY) 09/01/2018 To 09/28/2018

Vendor	Invoice	Invoice Description	Purchase Amount	Discount Amount	Amount Paid	Check Number	Check Date
HART * MICHAEL HART	SEPT 2018	road repair & maintenanc	660.00	0.00	660.00	977	09/21/18
Report Total			660.00	0.00	660.00		

Board of Selectmen

*[Signature]* 10/17/18  
 \_\_\_\_\_  
*Make Charlette* 10/17/18  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

To the Treasurer of Town of Woodford, We Hereby certify that there is due to the several persons whose names are listed hereon the sum against each name and that there are good and sufficient vouchers supporting the payments aggregating \$ \*\*\*\*\*660.00  
 Let this be your order for the payments of these amounts.

Town of Woodford, VT  
Woodford Town Hall  
Woodford Board of Listers  
October 3, 2018

Members: John Dovitski, Linda Dovitski, Glenn Thurber

Also Present: Dave Newell

Dave Newell, the owner of Prospect Mountain Association Inc. asked to meet with the Town Listers of Woodford to talk about requesting a non-exemption from his property tax from the Town. Dave did fill out the application, PVR-317 and gave it to the listers along with a letter along with their expense report.

He wants us to consider his application because now there expenses will be higher than the current owners due to workers compensation, insurance, unemployment insurance and payroll taxes. Also they want to upgrade the technology – example: Wi-Fi, credit card access etc.

They want to offer to the town of Woodford in exchange for this exemption is being free skiing to Woodford residents during the week and free skiing for Woodford school at any time when they are open. Linda asked the question, “would you consider Bennington Schools, since we are part of Bennington County”, and Dave stated not at this time.

501C3 was approved from the state – means do offer public access to anyone wants join the organization with no dues – means ski at any time.

2<sup>nd</sup> homeowners attract people to ski area- Each year 2500 individuals use Prospect-for skiing and snowshoeing such as from Williams College, Vermont State high school championships, Berkshire League high school races, Bill Koch Youth Ski League and US National Snowshoe Championships along with Mount Grey Lock Schools and Mount Anthony High School.

Linda asked the question, since you have “handful” of 2<sup>nd</sup> homeowners that are season pass holders at Prospect, would you consider those homeowners to be part of the “free skiing” and Dave explained, no, since they are not residents They do rely on those “season pass holders”.

Linda asked about if they will still have outside events, such as weddings and Dave said yes they still will and welcomes that for the future wants to expand the business in the further.

Glenn asked if there is any marketing plan and Dave said yes looking into adding that to Prospect’s website and would like to have the property used all year round.

Glenn asked what the expeditions was for Williams College and Dave mentioned that yes of course they will use it. Also mentioned they have an agreement with Williams Collage that they have rights to use the Prospect Mountain for any training and winter carnivals etc.

Realtors did appraise them almost identical to what the town had them at (approx. 605,000) with the 5 buildings and the acreage but that does not include the equipment. They bought the business for \$900.00 plus \$50,000 for the transfer tax, fuel oil and town tax and money to start operating the business not only did that include the buildings and acreage but it did include the tools, equipment, vehicle's, groomer (Piston Bully).

They have a partnership with Williams College, which gave them \$450,000- that was a gift from their alumni. A mortgage from Steve Whitman for \$350,000 with 6 months interest free payments and an interest free loan from Vermont Land Trust.

They did receive approval from a Grant for \$285,000 from VHCB (Vermont Housing Conservation Board) that was in exchange for preserving Prospect Mountain from any development to complete the purchase of this sale, should receive this money by January 2019.

But they need to raise \$265,000 to pay back the VHCB loan and so far they have received from 55 different people \$217,000 many were season pass holders and Woodford 2<sup>nd</sup> homeowners.

Steve will be staying on as "Mountain Manager" and now he will have help running the resort from this organization. The partnership of Williams College has mentioned about getting a snow machine for making snow.

Cell Phone –They will still receive the \$16,000 /Lease a year from the US Cellar and Us cellar will still continue to the pay taxes with the town on the cell phone tower, Dave did say this is not included in their exemption. Glenn did ask if this was included in their revenue and Dave said yes it is.

John asked "if this property is not going to run as "non-profit" organization and Dave said it is a "non-profit" we don't pay taxes and we have filed 990 and 501C3 and he did say yes will be operate as a non-profit organization.

John also mentioned that it supposed to be used unconditional for the public. Dave mentioned they do offer hiking at any time, would like to expand that to mountain biking in the future and other activities, and also would like to offer special days: example Free Bennington or Woodford day during the week as an open house with free skiing for those days.

Linda asked if he had a plan "B" if this does not get approved and he said no and that if it does not get approved it would be burden on them with the extra cost of paying the taxes.

They figured with season passes, day passes, kitchen, events and any expenses along with payroll and fuel its approx. \$165,000 for the season, don't leave much for a profit.

Linda mentioned that I'm sure that residents are worried about higher taxes and Dave said he understood. We mentioned that a lot of our full time residents don't really ski and Dave agreed to that and he would like to have the snowmobile community to stop in and if there was snowmobile trails excess to Prospect?

John mentioned that we will discuss this and have the town lawyer review this and we told Dave we will get back to him within 5-10 days with a response.

Meeting was adjourned at 6:45pm



Town of Woodford  
Board of Listers  
1391 Route 9  
Woodford VT, 05201

Prospect Mountain Association Inc  
Mr. David Newell President  
PO Box 4444  
Bennington VT 05201

Mr Newell,

Thank you for meeting with us and presenting your property tax application for Prospect Mountain.

After careful consideration amongst our lister board , we concluded that we cannot grant your exemption based on the following:

The PVR - 317 wasn't filled out completely, there were inaccurate responses and highly relevant questions went unanswered. For example , question 5 was answered none when in fact the cell tower represents not only a revenue stream but qualifies as a secondary use.

Question 7 was answered that the ski area is open to the public.

Glenn posed a question asking if there was any expectation from their \$ 400,000 gift and your reply was of course. In our assessment, that expectation could lead to the public not having access to to the ski area during private events

Question 9. Unanswered

Question 11. Applicant says that day or season passes are required for use. This would be oppositional to the proposal of Woodford Residents.

Question 12. In fact there are restrictions of resident usage to the facility. No weekends.

Question 13. If your selling season passes , it equals a membership

Question 14. Residents would benefit as a whole if the proposal would include free unrestricted access, otherwise the benefit to residents would best be to have Prospect on the tax rolls

Question 16 which asks directly if there are any other leases , rentals or management agreements went unanswered. Between the cell phone tower , and admission that private events would be held that both lend themselves to profit.

As residents, we truly wish you nothing but success. Unfortunately the benchmarks for an exemption have not been met according the statue of what quantifies the possibility of approval. You have the right to appeal our decision by requesting a BCA ( Board of civil authority ) meeting and further, a state hearing.

Respectfully,

Board of Listers Woodford VT

John Dovitski, Linda Dovitski, Glenn Thurber.