

# Waterford Selectboard Special Meeting Minutes

Monday, January 27, 2025 @ 5:30 PM

Waterford School

In Attendance: Sue Hayes, Ron Gray, Kevin Gillander, Sukey Watson, Marcia Martel.  
Attendance list attached.

Chair Ron Gray called the meeting to order at 5:31 PM.

Modifications to Agenda

- No modifications were made.

Approval of Meeting Minutes

- Sue Hayes made a motion to approve the meeting minutes as amended of January 13, 2025. Kevin Gillander seconded the motion. Motion passed 5-0.

Zoning Administrator Contract (Discussion/Action)

- Ron Gray confirmed that the Board had received the Planning Commission's nominations for the position of ZA. They recommended Matt Walsh and Chris Brimmer. Matt Walsh was present at the meeting.
- Maria Dantos, PC member, explained that they included both individuals as their nominations because they were unsure if Chris Brimmer was interested in renewing his contract and wanted to allow the Selectboard to choose.
- Matt Walsh was in attendance and Sue Hayes presented him with a copy of the contract he would sign if the Selectboard chose to offer him the position of ZA. It is a 3-year contract from Feb 1, 2025-Jan 31, 2028.

Executive Session 1 V.S.A. § 313(a)(1)(B) - Personnel

- Sue Hayes motioned to enter Executive Session. Sukey Watson seconded the motion. Motion passed 5-0. The Group entered Executive Session at 5:37pm.
- No action was taken. The Group exited Executive Session at 5:55pm.

Zoning Administrator Contract (Discussion/Action)

- Matt Walsh confirmed he does have time in his schedule to attend all the necessary meetings and take care of all responsibilities.
- Maria Dantos shared that the PC recommended him due to his knowledge, integrity, experience, education, and long-term plans. They believe he would be a valuable asset and they appreciate that he lives locally.

- Marcia Martel motioned to offer the position of Waterford Zoning Administrator to Matt Walsh. Sukey Watson seconded the motion. Motion passed 5-0. All Board members signed the contract.
- PC members confirmed that Chris agreed to work with the new ZA to ensure a smooth transition.
- Town Treasurer Heather Gonyaw noted that Chris Brimmer worked hours in January that were outside of his contract. She needs something in place in order to pay him for Jan and any hours he accrues during the transition process. It will be added as an agenda item for the next Selectboard Meeting.
- PC member Kim Willey requested that the Selectboard contact Chris to notify him of their decision, work out a transition plan, and discuss the revision of his contract to include Jan and the transition period. The Selectboard agreed.

#### Discuss Possible Revisions to Town ATV Ordinance

- Town Moderator Maurice Chaloux was in attendance and agreed to pass around the mic for those who asked to speak.
- Sue Hayes guided the conversation. She read the town's current ATV ordinance, then began to chronologically work through the model ATV ordinance released by the Vermont League of Cities and Towns (VLCT). The current ordinance follows the model, but there are more options available.
- Sue announced the meeting was for the Selectboard to hear opinions from citizens to inform the Board's decision-making. Ron Gray explained his discussion with VLCT where he found out that the ATV ordinance cannot be decided through a vote, the decision is up to the Selectboard, according to state statute 23 V.S.A. § 3506.
- Parts of the model ordinance did not have any room to change, such as Sections 1, 2, and 3 parts A, B, and C. Section 3 concerns definitions of terms such as "ATV" and "enforcement officer" that cannot be changed.
- Sue opened the conversation with Section 3 part D. The town could decide to include the Vermont ATV Sportsman Association (VASA) in operations, which would mean all ATVs are required to have stickers from VASA proving membership status. Waterford could join another town's VASA club or start their own.
- Attendees were asked to share if they wanted to include VASA in the operations of the town's ATV ordinance. Many attendees found it hard to form an opinion before discussing enforcement, but that section is toward the end of the model ordinance so it could not yet be confronted.
- Kevin Gillander is a member of VASA and confirmed they do not handle enforcement, so they cannot issue tickets or any other penalties.
- Sandy Lowell is also a member of VASA and she confirmed they require helmets and liability insurance. They offer maps of what trails/roads are open to ATV use. They post

official signage on the roads/trails of what areas are approved, the speed limit, and restrictions on hours of operation.

- Many citizens agreed that requiring a VASA membership would not prevent riders from breaking the rules. They do not believe it will be helpful without enforcement power.
- Jordan Colby noted that Waterford doesn't have a trail system, only the class 4 roads that were approved for ATV use. He voiced his support for requiring a VASA membership.
- Ryan Aremburg agreed with Jordan and said people coming in from out of town don't know how fast to go or which roads are ATV-approved, so adding signage is a good place to start. He supported VASA.
- The Selectboard asked attendees to raise their hands to show their support or disapproval of including VASA in the operations of the town's ATV ordinance. About 22 hands were raised in approval and 2 hands in disapproval. Attendees who were undecided were asked not to raise a hand for either approval or disapproval. There were nearly 50 people in attendance, with 46 signatures on the sign-in sheet.
- Section 4 of the model ATV ordinance concerns the operation of ATVs. This section included some state laws that cannot be changed such as helmet requirements, registration requirements, etc.
- Section 4 part B of the model ordinance concerns who is allowed to ride their ATVs. A survey conducted about one year ago asked if only Waterford residents should be allowed to ride ATVs. The results were split and inconclusive. The current ordinance does not contain restrictions on who can ride them.
- Section 4 part C of the model ordinance decides what town highways or parts of highways should be open to ATV traffic. The current ordinance only allows the use of some class 4 roads.
- The Board asked attendees to share what roads they believe should be open. Many citizens shared ideas. Most agreed that allowing brief sections of class 3 roads that connect class 4 roads would be beneficial, as well as portions of roads that connect to the trails of other towns. The Board recorded all suggestions and will take them into consideration.
- Gerald Jones thought it should first be discussed if the town wants ATVs on public roads at all. He referenced the survey results which showed about 61% of responders wanted the ordinance to stay the same or get more restrictive, so he did not believe it was fair to discuss opening more roads to ATVs.
- Howard Remick shared that he and Gary Allard went to an ATV meeting in Barnet two years ago. They asked what issues they experience and how often it happens each year. They said they have zero to one problem in a year.
- Roberta Gillott and Paul Amey amongst others shared some examples of issues they have witnessed that were caused by ATV use.
- Kim Willey asked the Board for clarification as to why it cannot be voted on at Town Meeting. Ron Gray shared that the issue can be voted on to gauge public sentiment but

the process of voting would be misleading because the results would be non-binding as the responsibility for the decision lies with the Selectboard according to state law.

- Gerald Jones asked for the results of the ATV survey to be published. Sue Hayes agreed to collect the raw data, remove personal information, and post them on the town website. There will also be a Facebook post to announce that it was posted on the website.
- Will Jones noted that the use of ATVs as agricultural and forestry tools is protected under state law. If the town's ordinance is changed to be more restrictive, people will continue to be able to use them for farming and other work purposes.
- Dave Morrison shared that the last article of Town Meeting offers an opportunity to discuss non-binding business, and Maurice Chaloux confirmed the topic of ATVs could be brought up then.
- Dave Morrison suggested increasing self-enforcement with ATV riders. Daphne Bullock has experience riding ATVs recreationally around various towns and confirmed the VASA community and town citizens impose a level of peer pressure and pride concerning the well-being of their trails. She has seen amazing turnouts on GreenUp Day in Concord from the ATV community.
- Section 6 of the model ATV ordinance concerns time and season of operation.
- Many potential time and season restrictions were brought up by citizens and Board members. Roberta Gillott raised concern for the children of Waterford, asking that their schedule be considered as well so they can be put to bed and sleep in the morning at a reasonable hour without noise interference.
- Sue Hayes agreed that children's needs must be taken into consideration, but reminded the room that the town does not have an ordinance establishing 'quiet hours.' She recommended looking into such an ordinance for folks who were concerned about noise levels.
- Adam Aremburg asked that time and season restrictions be considered regardless of if the Board decides to expand the ordinance or not.
- Daphne Bullock noted that the issues brought up about ATVs causing damage are from activities that are currently illegal, such as trespassing and property damage, etc.
- Gerald Jones brought up the danger posed to cars that use the same roads as ATVs.
- Section 9 of the model ATV ordinance concerns penalties and the enforcement clause. Sue read the section of the model ordinance which listed punishable offenses and possible penalties.
- Sukey Watson confirmed the Town Constable cannot issue any of the penalties.
- Paul Amey pointed out that the town is already struggling with enforcing established regulations, and he questioned how the police force would be able to enforce the ATV ordinance as well.
- Will Jones read a portion of the minutes from a Selectboard meeting that Sheriff Hemond attended. The Sheriff shared a similar point that towns that have had a successful expansion of ATV trails had enforcement power. Sheriff Hemond also gave his personal

opinion that although modern ATVs are designed to handle paved roads, he does not believe it is a good idea.

- Ryan Lowell pointed out that many of the previously mentioned towns that have difficulties with ATVs have much higher ATV traffic than Waterford. He does not believe Waterford will attract the number of people it would take to create similar circumstances.
- Roberta Gillott shared her personal experience in Albany VT, a town with a lower population than Waterford, where she believes the character of the properties was changed due to ATV usage.
- Sue Hayes recognized it is impossible to make everyone happy but she was confident they can come to a compromise. She reminded the room that no ordinance is permanent and it can continue to change to meet the needs of the town.

#### Selectboard Action

- Action was postponed until the Feb 10 Regular Meeting.

#### Agenda Items for Next Meeting

- ATV Ordinance
- Chris Brimmer Contract Editing

#### Adjourn

- Sukey Watson made a motion to adjourn the meeting. Sue Hayes seconded the motion. Motion passed 4-0. Marcia Martel abstained. The meeting was adjourned at 8:11 pm.

Waterford Selectboard Meeting January 27, 2025

Sign In Sheet

Name

Signature

Frank Maurio  
Chris Dorkin  
Doreen Remick  
Daphne Bullock  
Jocith Daniels  
Stephen Daniels  
Eydie Aremburg  
Taran Gillander  
Chad Gillander  
Ryan Ware  
MATT WASH  
William Jones  
Gerard Jones  
Maria Dantas  
Heather Conyow  
Ryan Lowe  
Brandon Lowell  
Kim Wilkey  
Cheryl Stahler  
Steve MacDonald  
Priscilla Foster  
David Pritham  
Donna Villeneuve  
Tom VILLENEUVE  
Clem Gray

Tom Maurio  
Chris Dorkin  
Doreen Remick  
Daphne Bullock  
Jocith Daniels  
Steph A Daniels  
Eydie Aremburg  
Taran Gillander  
Chad Gillander  
Ryan Ware  
MATT WASH  
William Jones  
Gerard Jones  
Maria Dantas  
Heather Conyow  
Ryan Lowe  
Brandon Lowell  
Kim Wilkey  
Cheryl Stahler  
Steve MacDonald  
Priscilla Foster  
David Pritham  
Donna Villeneuve  
Tom VILLENEUVE  
Clem Gray

ROBERTA GILSON

JENNIFER SMITH  
Jon Smith  
Brendy Howell  
Ryan Fremby  
McKenna Beben

Jordan Colby

MARK FIELDER

Ben Lyon

Paula Gillander

ROBERT P. CUSHING  
Adam Aremburg  
Paul R Amer

David E Morrison

Erin Dimick

MAURICE CHALOUX

Russell Carlson

Vicki Giella

Kristen Fessenden

Kathy Bales

RICHARD STODOLA

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Jennifer L Smith  
Jon Smith  
Brendy Howell

Ryan Fremby  
McKenna Beben

Ben Lyon  
Paula Gillander

ROBERT P. CUSHING  
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Kathy Bales

Paul R Stodola