

Windham VT Selectboard Meeting Minutes
April 15, 2019 Regular Meeting

Present:

Maureen Bell, Selectwoman	Kord Scott, Selectman
Hal Wilkins, Selectman	Bob Bingham
Dawn Bower, Various Commissions	Russ Cumming, Lister
Joyce Cumming, Selectboard Clerk	Bill Dunkel, Multiple Commissions
John Hoover, Library Trustee, J.P.	Sally Hoover, Auditor
Tom Johnson, Energy Commission	Louise Johnson
Kathy Scott, Treasurer	Richard Paré, Road Commissioner

Call to order

The meeting was called to order at 6:30 p.m.

Additions to Agenda/Announcements/Reminders

- Richard Paré requested an opportunity to discuss a vehicle accident involving a Town vehicle.
- Kord proposed scheduling the annual highway meeting with representatives from V-Trans.
- Maureen announced a Community Forum scheduled for May 15 at the Meeting House to discuss the Nature Conservancy's acquisition of the Glebe Mountain parcel. The event is from 6 to 8 p.m. and will include a lasagna dinner. Maureen will share information with Ellen for inclusion in News and Notes.
- Mike McLaine announced a school election vote to be held at Town Office on April 30th from 10 a.m. – 7 p.m.

Act on minutes: April 1, 2019 Regular Selectboard Meeting

- Maureen noted an error on page 3 with regard to the Diesel Fuel Tank Procedure and Usage Policy. This agenda item was not moved—motion in minutes should be deleted.
- Hal pointed out an error on page 1 under Additions/Announcements/Reminders. Last line of the 4th bullet erroneously cited Peru as one of the Towns having conducted Community Values Mapping—reference to Peru should be deleted.

Motion: To approve the April 1, 2019 Regular Selectboard Meeting minutes with corrections noted—moved by Maureen—all in favor.

Public Comment

- Bob Bingham inquired regarding the status of delinquent tax collections and the Town Attorney's progress in this matter. Hal requested information from Erin Kehoe but has not received response. Kathy Scott reported a conversation with Erin who shared that the matter is at a standstill due to property owner's attorney. Bob felt that the Town Attorney was not effective in moving this matter forward and suggested that the Selectboard call for answers or seek alternate legal representation for the Town. Maureen noted that the Selectboard is not responsible for delinquent tax collection.
- Bob Bingham submitted a written request for a detailed accounting of all known costs paid for by Windham taxpayers and/or the insurance company involved for the entire clean-up of the diesel fuel spill at the Town Garage from the date of the incident (March 9, 2018) to present. See attachment.

He also questioned why the time sheets contained no mention of the diesel spill until 18 days after the incident, and whether the insurance rates would increase as a result. (Claim was filed against School Board's insurance coverage, not the Town's.) Maureen will work with Kathy to provide the information requested, hopefully by the next meeting.

New Business:

Auditors'/Treasurer's Response to Letter from Ernie Friedli

In response to the letter presented by Ernie Friedli at the last meeting, a letter was received by the Selectboard from Imme Maurath (Auditor) and Kathy Scott (Treasurer). See attachment. Responsibility for the Town Report lies with the Auditors according to Vermont Statutes. Kathy explained that the system previously used for compiling data is no longer being utilized and some components of the Town Report are represented differently. Kathy expressed her willingness and that of the Auditors to listen to suggestions regarding revision of the Town Report. In past years, Sally Hoover has met with Ernie to discuss the report. Maureen will draft a response from the Selectboard to Ernie based on information provided by Imme and Kathy.

Planning Commission Secretary's Stipend

Kate Wright (Planning Commission Secretary) is requesting that the stipend for the P.C. Secretary be divided among the Commission members as they play a role in performing some of the Secretary's duties. Kathy Scott stated that the money is not a stipend; rather, a request was made to allow the Secretary to submit hours for clerk duties, and a budget line was created in the amount of \$500. Maureen suggested checking with VLCT. Kathy agreed to follow-up with VLCT regarding this matter. Hal inquired about the VLCT Salary & Wage Guidance book; Kord has an electronic version which he will share with Hal.

Update on Lowell Lake Project

Hal reported no new information to share at this time. When information is received from the State, he will provide an update.

Emergency Management RACES program

Radio Amateur Civil Emergency Services (RACES) is a volunteer organization of amateur radio operators intended to provide health and welfare emergency communications during disasters or significant failures of telecommunication systems. Hal is in the process of investigating licensing and paperwork requirements for this program. FCC licensing is required. Grace Cottage has an amateur radio club that may have information. Kord also suggested that the school might assist with student involvement. Hal will continue looking into this.

Community Values Mapping Workshop

Hal commented on the successful turnout at the April 8 mock-up exercise facilitated by Monica Pryzperhart. Plans for the workshop will be discussed at the April 16 Conservation Commission meeting including logistics such as whether to hold it at the Windham Elementary School or the Meeting House. Students and parents will be encouraged to participate. Funds were provided by the Selectboard to assist with postage in mailing out invitations. In response to an inquiry from John Hoover who was not able to attend the April 8 exercise, Hal provided a brief synopsis of the Community Values Mapping process.

Major Expenditure Advisory Committee

Hal inquired about status of this group. Kord suggested soliciting members to serve in an advisory capacity to the Selectboard in reviewing options for major expenditures. Kathy disagreed, pointing out the difference between comments regarding the budget from "John Q." taxpayer at a Selectboard meeting vs. personal agendas proffered under the guise of authority of a committee member. As an example of a major expenditure, Kord cited relocation of the town garage which has been discussed for some time. Kathy supported the notion of a committee to determine feasibility of relocating the town garage, similar to the Meeting House Transition Committee, but was opposed to a standing committee to advise on large expenditures in general.

Bob Bingham expressed his opinion that all major decisions, including the Town budget, School Board issues, elections, large expenditures, etc., should be voted by Australian ballot at the Town Office from 10 a.m. to 7 p.m. rather than a show of hands at Town Meeting. He felt this would provide greater response from voters who might not otherwise be available to attend Town Meeting due to work/travel commitments. Brief discussion followed on informational meetings to provide background on the issues prior to the vote. Bob added that a larger voter turnout would assist the Selectboard in determining how to proceed on difficult decisions.

Keeping a Selectboard "to do" list

Kord expressed preference for the idea of the Clerk keeping a Selectboard "to do" list as a way to keep track of assignments and tasks. Maureen repeated her concern that this could equate to a meeting in violation of Open Meeting Law if not made available in the public realm. Russ suggested the members review the minutes to remind themselves of tasks or assignments. Bob Bingham asked the Clerk whether keeping a "to do" list on a separate sheet would be easier. Maureen questioned the legality of such a list, saying she didn't need it personally. Kord will look into whether this is permissible and report back.

The Meeting House:

Committee Meeting Update

Dawn reported on the first official meeting of the Meeting House Transition Committee held April 8 at which she was elected Chair, and Russ Cumming was elected Secretary. The Committee is moving forward in reviewing options and considerations for the Meeting House and will provide regular updates to the Selectboard.

Kathy mentioned an email from Dave Crittenden regarding payment of \$5,724 for insurance for 2019. Maureen was copied on the email. Both Kathy and Maureen were puzzled on the issue since the amount paid has always been part of the budget and paid in the calendar year for which approved. Kathy will investigate further.

Longo Tree Service quote (removal of *Acer saccharum* (sugar maple) and who is responsible

Mike McLaine noticed a tree on the west side of the Meeting House abutting Maureen Fitch's property which presents a danger in that a large limb is hanging precariously. Walter Woodruff (tree warden) was contacted and Mike Longo Tree Care was solicited for a quote, which amounted to \$1925 for removal of the tree, all

brush, and wood. See attachment. With clean-up assistance from volunteers on brush and wood, the amount might be reduced to \$1250.

Discussion followed on who was responsible, since the Town contributes towards the Meeting House expenses. Kathy Scott suggested that maybe "Enuf Wood", part of the West River Community Project, could do the work under Mike Longo's license. Discussion followed on the urgency of the tree removal. It was agreed that a large limb dangling was a danger to a person or vehicle. Brief discussion followed on how far the limb extends into the right-of-way. Removal of the limb is a priority and Kord will discuss urgency with Mike.

Roads:

Fuel Tank Policy/Procedure

The Policy for Diesel Fuel Use remains as presented. The Procedure for Equipment Refueling & Certification of Fuel Station Training was revised by Kord. Revisions focused on the response in the event of a diesel fuel spill, specifically the need for the Road Foreman or Road Commissioner to report the spill to the Town Health Officer, who will notify appropriate authorities. Discussion ensued regarding how to proceed if the Health Officer is not available. Maureen will contact the Health Officer to determine how to proceed in this instance. Bob shared contact information for Jaymi Cleland at the Department of Environmental Conservation.

Municipal Roads General Permit Planning Report (MRGP) and application review fee (due June 1) Road Erosion Inventory –update on meeting with Windham Regional Commission (WRC)

Kord requested that the Town Clerk submit the Municipal Roads General Permit Planning Report which was due April 1. The application review fee is due June 1. Kord was in contact with Jeff Newton, the representative from the Windham Regional Commission regarding the Road Erosion Inventory which is tentatively scheduled for July-August. Discussion followed on hydrologically connected road segments and updating the map. All town roads will be reviewed in 100 meter segments to determine if hydrologically connected. Ditches and water run-off issues must be addressed to meet baseline standards for compliance with the MRGP.

Registration of roads and bridges with DMV Road weight, speed limits and enforcement

In reviewing this issue with Mike McLaine, Hal determined that Windham's roads and bridges are not registered with DMV. As such, posted weight limits and speed limits are not enforceable. Registration applies to all town roads except Class 4 roads. Hal provided the necessary registration form to Mike who will submit it electronically. Discussion followed on enforcement of speed limits by the sheriff and use of solar-powered speed monitors.

PACIF inspection report update

Hal presented a list of open items to be corrected with respect to the PACIF inspection of the Town Garage. Many of the items previously reported as completed by Bob Kehoe were not reflected as such on the list. A walk-through has not yet been conducted because Wade was not available. Hal will review open/completed items with Richard and schedule a walk-through inspection by Wade. A suggestion was made to include Bob and Richard to participate in the walk-through.

Changing the payroll week from starting on Monday to starting on Saturday

Kathy presented a request to change the payroll week from its current Monday through Sunday time period to Saturday through Friday. The reason for the change is the Monday deadline for submitting time cards. By changing the payroll week, the road crew will be able to submit timecards on Friday or over the weekend before the Monday deadline. Kathy felt that this would be a good time for the change since the road crew is not as busy with snow removal.

Motion: To revise the previously-approved work week (Monday to Sunday) to Saturday through Friday—moved by Kord—all in favor.

Roads Paving Plan – continuing discussion

In the pursuit of due diligence by the Selectboard, Kord requested that the discussion of road paving be continued. After the recent presentation by Everett Hammond, discussion has been held with residents regarding how to proceed in addressing the town roads. The majority of Everett's presentation on April 1 focused on a comprehensive 13-year capital highway plan including reclaiming and reconstructing sections of Windham Hill Road and required bonds totaling almost \$5M in addition to state grants and paving budget increases of \$15,000 per year through 2031.

Brief discussion followed on the reclamation of a section of Windham Hill Road as proposed in the capital highway plan developed by Everett. That 1.5 mile section would revert to gravel and remain gravel for 12 years until 2031 when a bond of \$3M would be required for repaving.

Kord requested a more thorough review of the other options as well as the long term paving plan included in the Town report. Marc Pickering of V-Trans helped develop the Town's long-term paving plan. While not advocating for any particular plan, Kord felt Marc Pickering better understood the challenges faced by small towns in addressing road issues.

As an example for comparison, Kord distributed a cost estimate developed in 2015 for paving vs. reclaiming 4850 feet of White Road south of Hitchcock Hill Road. While the initial cost to reclaim and revert to gravel was approximately \$24,000 less than the cost to mill/shim/chip seal, the long-term cost of reclamation over 12 years was approximately \$24,000 more expensive than the mill/shim/chip seal option. This was largely due to the cost of winter sand, adding gravel each year, and grading the road twice annually.

With the balance in the road paving account of \$257,662, state aid of \$72,386, and the \$90,000 paving budget approved at Town Meeting, there will be \$420,048 available for road paving this year. If paving is postponed one more year with the hope of receiving a \$175,000 grant next year, there will be approximately \$685,000 available next year. This assumes a paving budget of \$90,000 will be approved at next year's Town meeting. The Town paving plan calls for paving all 5.18 miles of Town Highway #1 (Windham Hill Road) in 2020 at a cost of approximately \$627,000.

Another option would be to start work this year to mill/shim/overlay sections of Windham Hill Road. Chip seal on those sections could wait. When asked which sections of Windham Hill Road are most in need, Richard (while not advocating for a "worst-first" approach) replied saying Sections 4 and 5 (from just below Town garage to southern intersection with Burbee Pond Road). Brief discussion followed on chloride applications and salting.

Maureen felt more time was needed to consider all the options and solicit feedback from the community. Another town-wide meeting to discuss all options might be appropriate.

Brief discussion followed on culvert replacement projects, some of which are critical and must be addressed this summer. Those costs are not included in the paving options. Work was anticipated on 5 culverts this year, but 7 were addressed. Maureen suggested it may be worthwhile to invite Everett back to discuss culverts and road erosion issues.

Additions to agenda

Vehicle Accident

Richard explained the vehicle accident which involved Dan backing the grader into a car that was parked at the Town office parking lot. No one was injured but the car's bumper was damaged. The car's owner would prefer not to deal with the insurance company. The Selectboard directed Richard to solicit quotes on repair.

Scheduling V-Trans Meeting

Discussion followed on scheduling the annual meeting with V-Trans. Hal offered dates when he was available. Kord will contact Meghan at Marc Pickering's office to schedule.

Correspondence/Payroll/Bills

Correspondence, payroll and bills were reviewed and approved as necessary.

Adjournment

Motion: To adjourn the regular meeting at 9:36 p.m.—moved by Hal—all in favor.

Respectfully submitted,

Joyce Cumming
Selectboard Clerk

Attachments:

- Bob Bingham's request for accounting of money expended in regard to clean-up of diesel fuel spill on 3/9/18
- Letter dated 4-9-19 from Imme Maurath and Kathy Scott to the Selectboard re: Ernie Friedli's letter & excerpt from VLCT on responsibility for Town Report
- Quote from Michael Longo Tree Care
- Municipal Roads General Permit Planning Report
- Town Paving Plan and Options for Paving
- Correspondence from Health Care & Rehabilitation Services of SEVT.