

Windham VT Selectboard Meeting Minutes  
July 15, 2019 Regular Meeting

Present:

Maureen Bell, Selectwoman	Kord Scott, Selectman
Hal Wilkins, Selectman	Buddy Behrendt
Dawn Bower, Various Commissions	Joyce Cumming, Selectboard Clerk
Sally Hoover, Auditor	John Hoover, J.P., Library Trustee
Tom Johnson, Energy Commission	Louise Johnson, Meetinghouse Transition Committee
Kathy Jungermann, Auditor	Kathy Scott, Treasurer

Call to order

Maureen called the meeting to order at 6:29 p.m.

Additions to Agenda/Announcements/Reminders

Kord requested an addition to the agenda regarding scheduling of Selectboard meetings; Maureen agreed to add discussion regarding scheduling Selectboard meetings to the agenda after Correspondence.

Act on minutes: July 1, 2019 Regular Selectboard Meeting

Motion: To accept the minutes of the July 1, 2019 Regular Selectboard Meeting as presented—moved by Maureen—all in favor.

Public Comment

Kathy Scott requested an amendment to the minutes of the June 17, 2019 meeting to reflect a school budget surplus of \$49,000 *if no Special Education services are needed*. (p. 3, par. 3, line 6)

Motion: To amend the minutes of the June 17, 2019 Regular Selectboard Meeting to reflect a school budget surplus of \$49,000 *if no Special Education services are needed* (p. 3, par. 3, line 6)—moved by Maureen—all in favor.

John Hoover requested an update on the property tax sale held in June. Maureen referenced discussion held at the July 1 meeting and reported mixed success with one property sold outright to another buyer and the Town buying the other four properties.

New Business:

**Town Office – south wall/door construction project-put out to bid**

Maureen offered an update on the damage to the building caused by water run-off from the roof at the door on the south wall of the Town Office. This door is not routinely used for entry or exit from the building and Mike McLaine suggested removing it. (An alternate means of egress is provided by the door in the meeting room at the rear of building.) The exit sign above the door on the south wall must also be removed to comply with fire codes. Specs for the project were provided by Mike who estimated the total cost under the \$5,000 threshold which would require the project be put out to bid. Mike will contact contractors regarding the work.

### **Town Office – repaint exterior sign – talk to Ed Brown**

The large wooden sign over the Town Office entrance is in need of repainting. In early spring, Ed Brown had offered to repaint it if it was taken down and brought to him. Mike McLaine explained that the mechanics of removing the sign present safety concerns due to its size and weight. Kord reported that Bob Kehoe offered to remove it using his bucket truck. Kord will contact Bob to follow up. Maureen will call Ed Brown to determine if he is still willing and able to repaint the sign if it is delivered to him.

### **Carleton Trucking Heavyweight Permit**

This permit request was received in the spring but a permit was not issued due to the delay in getting roads registered. Hal reported that the roads are now registered with DMV and the permit should be issued.

### **Radio Amateur Civil Emergency Service Operator (RACES)**

Hal reported on discussion with members of the American Radio Relay League (ARRL) who were not aware of RACES. Maureen noted that the Radio Amateur Civil Emergency Service Operator (RACES) is a Selectboard appointed position which has been vacant for years. Brief discussion followed on possible interest expressed by Tan Bronson who is familiar with amateur radio through the West River Radio Club. Hal will contact Tan Bronson. Brief discussion followed regarding the need for licensing and an educational component for students at Windham Elementary School.

### **Old Business:**

#### **Sign amendment to Selectboard Rules of Procedure regarding the change in SB meeting time.**

Maureen noted that Ellen McDuffie has been informed of the change and should announce it with the next issue of News and Notes due out in early September. The change in meeting time was anticipated to become effective with the second meeting in September. Maureen amended the Selectboard Rules of Procedure (page 2, Section E.1.) to read: “Regular meetings shall take place (at) 5:30 p.m. on the first and third Mondays of the month at the Windham Town Office, beginning September 16, 2019.” Selectboard members agreed with the amendment and signed the Selectboard Rules of Procedure amendment. (See attachment.)

#### **Animal Nuisance Control Ordinance in general; Thelma, specifically**

Many calls have been received regarding Thelma, the cow on Popple Dungeon Road. Thelma has been roaming at large on several occasions over the last few weeks and neighbors have reported close calls while driving on Popple Dungeon Road. Buddy Behrendt was present to offer his perspective on the situation. Having some general knowledge regarding farm animals, he suggested that the issue may be a lack of feed and care. In addition to Thelma, the family also keeps goats but the goats are restrained via a fence. Sargent Lakin has visited the home and discussed a fence to restrain Thelma. Hal Wilkins has also had discussion with the owners, yet the issue is still not resolved. Hal has fencing and some supplies to offer the owner; a charger is needed, which Kord may be able to provide. Discussion followed regarding an animal expert, and Kathy Scott suggested asking Meadows Bee Farm to send someone, such as Beth McDonald, out to review the situation; Beth knows the family and is familiar with farm animals. Animal rescue groups in Springfield and/or Brattleboro may also be available as a resource.

Discussion followed regarding possible adoption of an animal nuisance control ordinance such as that of Putney, and State statutes that may grant the Town legal authority. (See attached animal nuisance control ordinance adopted in Putney.) Hal will visit the owner again in the morning, and the sheriff's office will be asked to visit again this week. In the meantime, Maureen will call rescue groups and the Humane Society.

#### **Update on Community Values Mapping (CVM); VT Council on Rural Development (VCRD)**

Hal reported he was able to make contact with Carolyn Partridge last week and she will attend the August meeting of the Conservation Commission. Kord reported that Carolyn hopes to have Paul Costello of the Vermont Council on Rural Development pay a visit sooner than September 2020. It was agreed that the Community Values Mapping process and resources available through the Vermont Council on Rural Development were complementary programs.

#### **Confusion about Planning Commission/Zoning Board of Adjustment**

Maureen wished to clarify discussion held at the last meeting to explain that the Planning Commission acts as the Zoning Board of Adjustment when needed.

#### **The Meeting House:**

#### **Set a time to meet with Kathy Scott to discuss Dave Crittenden's memo of April 8 and Ernie Friedli's concerns**

Maureen suggested meeting with Kathy Scott to discuss Dave Crittenden's April 8 memo regarding Meeting House expenses divided between the Church and the Town. In particular, Maureen noted the need to resolve a discrepancy regarding the Town's share of the insurance premium for the Meeting House which is always paid in the current year. Hal and Kord were invited to join the discussion in which case the meeting will be posted. Kathy suggested scheduling the meeting for after August 6 since she will be away. Maureen referenced discussion held at a November 2018 Selectboard meeting regarding Ernie's concerns but Ernie's letter was not posted as an attachment on the website. Maureen will review the Selectboard meeting files. Kathy Scott believes the Selectboard did respond to Ernie regarding these concerns.

#### **Next steps for Selectboard based on Committee's recommendations**

Selectboard members received the Meeting House Transition Committee's Recommendation at the last meeting. Maureen noted that the Meeting House Transition Committee recommends that the Town assume full ownership of the Meeting House. Maureen suggested possible need to hold a town-wide vote. Kord reported on discussion held with the Town Attorney in which a town-wide vote was deemed unnecessary. Any feedback received thus far has been in favor of the Town taking over the property. Tom Johnson referenced an article in the most recent issue of News and Notes on the Meeting House transition. The article solicits feedback from readers via email or written suggestions which can be dropped in the Meeting House suggestion box at the Town Office. Because the article was published recently, it was decided to allow time for feedback before proceeding. The Selectboard has until August or September before it needs to factor any additional expenses into next year's budget. Kord will update Attorney Fisher on the status and provide him with a copy of the Meeting House Transition Committee's recommendation.

## **Insurance**

Kord reported possible savings on insurance premiums for the Meeting House based on verbal discussions with the insurance carrier. The insurance company however will not send an appraiser out for a site visit until the Town assumes full ownership.

Kord also commented on the need for renewed fundraising efforts by the Friends of the Meeting House. Dawn reported a total of eight individuals who have expressed interest in serving on the Friends of the Meeting House.

## **Roads/Garage:**

### **Paving/Culverts/Ditching updates**

Maureen noted work in progress on paving, culverts and ditching efforts. The area to be paved on Windham Hill Road has been milled. Work is underway to replace culverts on the section of road to be paved. Originally, just a few culverts were anticipated for replacement; however, further inspection by Richard revealed a dozen or more culverts that need to be replaced. A total of 7 have been replaced thus far, with another 6 or 7 yet to be replaced. Hopefully, culvert replacements on Windham Hill Road will be completed this week in order to allow time for settling and compaction of the fill by traffic driving over the culverts. Kord noted that paving will likely be delayed until later in August.

Kord reported on discussion with Emily Davis regarding possible partial eligibility for funding through the Municipal Roads Grants-in-Aid program. Kord will meet with Emily on Wednesday morning and introduce Emily to Richard to review work underway and the total scope of the project. Brief discussion followed regarding the Road Erosion inventory. Kord has also been in contact with Jeff Nugent regarding ditching work which may qualify for a matching grant of up to \$9,000. While Kord is pleased with the road crew efforts in ditching, he noted that some people have expressed displeasure with the appearance of the roadsides.

### **Traffic study results – can Windham Regional Commission (WRC) explain**

Hal would like to have a representative from Windham Regional Commission attend a Selectboard meeting to discuss the traffic study results. Several people recently commented to Hal about traffic speeds on Windham Hill Road. While the traffic study reports speeds on average at or near the posted speed limit, the outliers are traveling significantly faster than the posted speed limit, especially in the school vicinity and South Windham. Maureen commented on traffic speeds en route to Hamilton Falls on summer weekends and follow-up studies to be conducted on Burbee Pond Road and West Windham Road. Maureen suggested inviting Jeff Nugent to discuss the results of the traffic study when completed.

### **Roadside mowing**

Hal commented on the devastating nature of invasive plants such as wild chervil and parsnip which will require years of diligent work to eradicate. Large plots of wild parsnip have been spotted on Horsenail Hill Road and along Route 11 going into Londonderry. Kord reported that Kurt will begin the second spot mowing on Tuesday and will address the areas of wild parsnip along Windham Hill Road. Kord will mention Horsenail Hill Road and along Route 121 as well. Diane Newton will handle West Windham Road. Hal noted the need to

include budget funding to combat invasive plants each year going forward. Brief discussion followed on equipment rental vs. purchase. Following a cost-benefit analysis, Grafton decided to purchase its own equipment, which can be leased to other towns when available along with an equipment operator. Kord commented favorably on the idea of shared services between towns. Hal will follow-up with a contact in Grafton for more information.

#### **PACIF Town garage update inspection update**

While Hal hoped to have the list of items needing attention at the Town garage completed by now, a recent review revealed 7 items yet to be corrected. Some of the items are policies which have to be placed in the book. Other items include an eye-wash station, a metal receptacle for disposal of oily rags, and a ground-fault indicator. Reimbursement may be available for some of the cost through a PACIF grant. A list of items eligible for partial reimbursement through the grant will be shared with Kurt and Richard. Hal will start work on the grant application which is due in August.

#### **Highway Ordinance/Town-wide speed limit**

Based on information in the traffic study and recent completion of road registration, Hal suggested a joint approach to address speeding and overweight vehicles in town by enlisting the Sheriff's Dept. and the DMV. Kord will provide Sargent Lakin with a copy of the current (1994) highway ordinance. Thru-traffic areas could be posted at reduced speeds and designated gross vehicle weight limits. Once roads are posted, we can request that DMV set up roadside weight limit testing. Kathy Scott witnessed a truck driver on Route 11 consulting his phone, presumably to determine his travel route. She and Kord will look into contacting GPS call centers.

#### **Red truck repair update**

Kord reported that the truck was sent to the welding company but the truck body has not been removed yet and assessment of damage has not begun. He will follow up and keep pressing for timely repairs.

#### **Diesel fuel storage tank**

As a follow-up to the issue reported at the last meeting involving the slab under the diesel fuel tank, Kord reported a second quote was received from Cota & Cota in addition to the original quote from Record Concrete. Kord will provide Richard with Cota & Cota's quote tomorrow for review. Kord also suggested increasing the size of the lean-to on the side of the salt shed to provide some cover for the grader.

As the meeting was running ahead of schedule, Maureen suggested discussing the schedule for Selectboard Meetings prior to correspondence. There were no objections to amending the agenda order.

#### **Added: Scheduling Selectboard Meetings**

Maureen opened discussion on scheduling upcoming Selectboard Meetings. Kord is not available on August 5, 2019, but Hal and Maureen are available. It was decided to leave the meeting date unchanged (Monday, August 5, 2019) in keeping with the 1<sup>st</sup> and 3<sup>rd</sup> Monday format. Discussion followed on the Selectboard meeting schedule for September. The first meeting falls on Labor Day (Monday, September 2, 2019). The Selectboard met on Labor Day last year and no conflicts were encountered. It was decided to leave the meeting date unchanged (September 2, 2019) in keeping with the 1<sup>st</sup> and 3<sup>rd</sup> Monday format.

### **Correspondence/Payroll/Bills**

Correspondence, payroll, and bills were reviewed. Maureen read a claim notice from Consolidated Communications regarding damage caused by the Town truck to aerial cables in the vicinity of Burbee Pond and West Windham Roads on or about June 12, 2019. Kathy Scott will forward the claim to the insurance company.

Other correspondence included a request for a liquor license, notice of determination regarding unemployment benefits, notice of revised education tax rates for fiscal year 2020 from Vt. Dept. of Taxes, correspondence from the Brattleboro Development Credit Corporation, a letter from Senior Solutions regarding interest in having a representative attend an upcoming Selectboard meeting, Valley Cares newsletter, and a proposed contract for 2019-2020 from the Humane Society which Maureen will review further. Kord suggested holding off on the Humane Society contract pending determination regarding an Animal Control Officer.

Bills and payroll were also reviewed and approved as necessary. One bill from Power Plant was marked to hold off. Kathy mentioned a health insurance premium refund from Blue Cross Blue Shield which she will research further to be certain the affected employee is covered by his current employer for July.

### **Adjournment**

Motion: To adjourn the regular Selectboard meeting at 8:10 p.m.—moved by Kord—all in favor.

Respectfully submitted,

Joyce Cumming  
Selectboard Clerk

### **Attachments:**

- Amended Selectboard Rules of Procedure
- Putney Animal Nuisance Control Ordinance
- Consolidated Communications Notice of Claim
- Education Tax Rates for Fiscal Year 2020