

Windham VT Selectboard Meeting Minutes
September 16, 2019 Regular Meeting

Present:

Maureen Bell, Selectwoman	Kord Scott, Selectman
Vance Bell, Energy Commission	Bob Bingham
Dawn Bower, Various Commissions	Joyce Cumming, Selectboard Clerk
Russ Cumming, Lister	Ernie Friedli
Sally Hoover, Auditor	John Hoover, J.P., Library Trustee
Tom Johnson, Energy Commission	Louise Johnson, Meetinghouse Transition
Kathy Jungermann, Auditor	Keith Jungermann, Meetinghouse Transition Alternate
Joseph Lamson, Constable	Kathy Scott, Treasurer
Walter Woodruff	Gail Wyman, Asst. Treasurer

Call to order

Maureen called the meeting to order at 5:30 p.m.

Additions to Agenda/Announcements/Reminders

Maureen called for a moment of silence in memory of Hal Wilkins. Missy is planning a service for October 19, 2019 at 11 a.m. at the Church/Meeting House.

Additions: Kord asked to have an item added to the agenda in order to discuss a conversation he had with Joe Lamson, constable. Kord also asked to include discussion on the property tax increases. Maureen noted the need to discuss the vacancy on the Selectboard.

Act on minutes: September 2, 2019 Regular Selectboard Meeting

Motion: To accept the revised minutes of the September 2, 2019 Regular Selectboard Meeting with attachments—moved by Maureen—all in favor.

Public Comment

Walter Woodruff presented the Town with a gift he received from his parents 39 years ago when he became a member of the Selectboard. It consisted of a metal directional sign for WINDHAM which Walter framed in a wedge of wood from a tree he cut down years ago. Everyone shared a chuckle about the “hooch” the signmaker must have been sipping when he inadvertently placed the M upside down so that the sign read “WINDHAW”. He also shared an old photo of a similar sign pointing toward South Londonderry which was placed at the bridge near the intersection of Burbee Pond and West Windham Roads (attached). Walter explained that the bridge was originally known as Meadow Bridge and the hand with a pointing finger was used to show direction on signs from the late 1800’s until World War I. Members of the Selectboard and town residents thanked Walter for the unique gift.

Ernie Friedli shared an article recently published in a newsletter from Grace Cottage Hospital. The author’s wife was stung several times by a wasp causing anaphylactic shock. Rescue Inc. responded to the 911 call and administered epinephrine before transporting her to Grace Cottage Hospital. The author was also treated at Grace Cottage Hospital after a near-fatal heart attack. Ernie reported that he and Leila Ehrhardt had looked into

emergency services two years ago and asked the Town to consider changing to Rescue Inc. He asked Maureen to contact Dr. David Cherry to follow up on a report that should have been filed with the Town. Ernie has not heard back. He referenced his personal experience of waiting 45 minutes for emergency services to arrive, and asked for follow-up on the status of the report on emergency services. Maureen apologized and explained that Dr. Cherry was not available to attend a Selectboard meeting several months ago when Ernie first approached her, but she will follow up with Dr. Cherry.

Dawn Bower asked whether the Selectboard was considering Claudia Voight's suggestion for a special meeting for the purpose of discussing the recent property tax increases. Dawn is aware of the budget that was approved at Town Meeting in March, but neither she nor anyone else is familiar with the education funding formula which is responsible for tax increases. Maureen responded that Kathy Scott may have more information to report later in the meeting. Maureen also noted that she sent a letter to the Governor last week (as a citizen, not as Selectboard member) declaring that the school education funding increases are not sustainable and inquired about options.

Ernie added that his research shows that property taxes in Windham have increased 127% over the last 13 years. While the average increase over this timeframe is 9.7%, the amount fluctuates from 9.1% to 28.6%. He also expressed frustration with the lack of detail in the Town Report and data that is no longer included. He will continue his research and submit his findings to the Selectboard when complete.

Bob Bingham suggested that any budget issue affecting the taxpayers in Windham should be voted via Australian ballot rather than by voice or show of hands at Town Meeting. Absentee ballots should also be made available. He feels this would result in a better-informed populace and be more representative of what the voters actually support. When referring to the education funding that Windham sends to the State, Kathy corrected the figure Bob stated to \$1.2 million.

Lengthy discussion followed on alleviating the excessive burden of education funding in Windham which is preventing families from moving to town. Several options were discussed such as appealing to the Ways and Means Committee, forming a coalition with the other sending towns, encouraging residents to voice concerns to State Representatives, writing letters, lobbying, advocacy efforts available through the VLCT, etc.

New Business:

Discussion with Constable Joseph Lamson (topic added)

Kord referenced discussions held with Constable Joe Lamson including complaints of dogs chasing homeowners' pets into homes and nuisance animal issues. In their discussion, topics arose relating to the constable's responsibilities and authority, insurance liability and medical coverage, and possible need for a nuisance animal ordinance. Kord distributed an email he prepared requesting guidance from VLCT on this topic (attached). Brief discussion followed on the current process of reporting between neighbors. Kathy believes that medical coverage and liability insurance are included in constable insurance but she will check. Kord suggested the possible need to hire the outside animal control officer that Bob Kehoe knew. On a side note, Maureen reported that Thelma (cow) is pregnant.

Calendar Year to Fiscal Year Budget Process

Maureen offered clarification on a comment she made at the last meeting regarding the timeframe for switching from a calendar year to a fiscal year. She misspoke when she noted that VLCT advocated a 5-year timeframe for the change—VLCT suggests an 18-month timeframe: at Town Meeting in March, the voters would approve an 18

month transitional budget from January 1 through June 30 of the following year. At the next Town Meeting, the fiscal year budget would begin and subsequent budgets would run from July 1 through June 30. (See attached.) Because of concerns regarding property tax increases, Maureen felt this was not the time for an 18-month transitional budget.

Meeting House Committee recommendation from Bob Fisher (Town Attorney)

Kord reported on discussion and emails with the Town Attorney regarding the Town assuming full ownership of the Meeting House. The Selectboard has the legal authority to accept title to the Meeting House via a deed from the Church for its share of the building. Feedback from residents has been supportive of the Town assuming full ownership. The attorney also agreed with the idea of the Selectboard appointing an ad-hoc subcommittee consisting of 3 to 7 members. The subcommittee would make recommendations to the Selectboard regarding the maintenance, operation, and upkeep of the Meeting House. The Selectboard would ultimately be responsible for decisions and expenditures. Maureen questioned whether moving forward on ownership of the Meeting House was prudent at this time. Kathy Scott suggested developing a pro forma budget based on full ownership of the Meeting House so that the financial implications would be available prior to voting on assuming full ownership. Currently the Town provides \$6,000 per year and pays half the insurance premiums (roughly \$4,000). Insurance premiums are expected to decrease. Kord suggested that the Selectboard could hold off voting on ownership and approve the creation of the committee in the meanwhile.

Motion: That the Selectboard creates an ad hoc committee entitled the Windham Meeting House Committee, consisting of no less than three and no more than seven members, and which committee shall be charged with making recommendations to the Selectboard regarding the use, maintenance, capital improvement and preservation of the Windham Meeting House—moved by Kord—all in favor.

Louise Johnson, Dawn Bower, and Russ Cumming volunteered to serve on the Windham Meeting House Committee. Maureen thanked them for their interest and will prepare appointment letters. Anyone else interested in participating on the committee should contact the Selectboard.

Lister/Land Schedule recommendation from Bob Fisher

Kord also discussed with Attorney Fisher the need to re-do the land schedule based on communication from the State property tax representative for the district. Attorney Fisher doesn't see this as a breach of contract issue with Green Mountain Appraisals (GMA) who performed the last town-wide re-appraisal in 2014 (attached) but rather as the need for the Town to re-do its land value schedule based on comparable sales over the last three years. He suggested having the Regional Advisor to the Listers visit and instruct the Listers as to how to build or re-do a land schedule with values attributable to parcels of land such as the two acres surrounding a house site, acres 3 through 10, acres 11 through 20, and acres 21 and above. If the Regional Advisor cannot assist the Listers, perhaps a call to Brian DeCesare, the project manager at GMA, might be necessary to obtain GMA's work on the land schedule it should have developed during the last reappraisal. Attorney Fisher does not anticipate the need for a town-wide reappraisal at this point. Russ Cumming agreed to share this approach with the Listers as well as a suggestion to review land schedules for surrounding towns.

Vacancy on Selectboard (topic added)

Maureen noted that the Selectboard has 10 days to post a notice regarding the Selectboard vacancy. The Selectboard has the authority to appoint an individual to fill the vacant seat until the next Town meeting.

Maureen drafted a notice of vacancy (attached) allowing one month for anyone interested to contact either Maureen or Kord.

Old Business:

Tornado damage update

Kord reported on unsuccessful attempts to secure aid from state agencies to assist with the clean-up of the tornado. He was hoping that the Dept. of Forest, Parks and Recreation might provide a crew of foresters to help with clean up and was waiting for the department supervisor to get back to him only to learn that there is no such policy. Discussion followed on local loggers who would handle the clean-up work in exchange for the wood removed. Brief discussion followed on the Agency of Natural Resources (ANR) restrictions affecting waterways and local streams. One of the property owners affected has hired a contractor to assist with the clean-up on their property. The Town is responsible for cleaning up the debris in the roadway and right-of-way. In the course of clean up, the Road Crew found a large old stone culvert that needs repair. Marc Pickering of VTrans should be available to assess the situation in the near future. Kord explained how ANUFF (A Neighborhood United For Fuel) Wood works: volunteers are solicited to cut, split and stack wood for a few neighbors, and in exchange, the volunteer get a crew of other volunteers to cut, split and stack wood.

Update from VLCT/Kathy Scott on what we can do about easing Tax Collection

Kathy Scott reported on her efforts to determine options to ease tax collection this October. She spoke with Attorney Carl Andeer at VLCT who was mystified as to how Windham's resident tax rates for education funding exceed non-resident tax rates. He had never heard of such a situation and looked into it further to discover that it happened in 2014. One hypothesis is that the revaluation conducted in 2014 affected the land use data. He will continue to research how or why this shift occurred. Kathy hopes to hear back from him by the end of the week. He stressed the importance of the requirement that a taxpayer unable to pay his/her taxes must request an abatement hearing before the Board of Civil Authority, and advised the Town against offering taxpayers 'blanket' abatement of property taxes, penalties and interest. Another factor in the education spending dilemma driving tax increases is that Vermont is one of only a few states that doesn't allow towns to include students living in the community but not attending the local school to be factored into the student count. Brief discussion followed regarding inviting a representative from VLCT to visit Windham to discuss advocacy on certain issues.

Town Office construction – moving the EXIT sign from the old exit

Maureen shared concerns regarding the urgency to move the EXIT sign from the old exit. The steps outside the door have been removed and the EXIT sign, in its present location, creates liability for accidents resulting from anyone using the exit. Kord reported that Bob Kehoe will move the EXIT sign tomorrow. The contractor hired (Joe Lamson dba Finn Hill Construction) needs a few weeks to complete the project.

Roads

Update on Roads Activity

Kord provided an update on roadside mowing which is making a noticeable difference around town. A few calls have been received regarding rough stumps left by the mower and the road crew will neaten these by hand in the near future. He also reported that ditching and culvert cleaning has produced noticeable improvements in water run-off on Hitchcock Hill Road. Russ acknowledged the improvements made on Old Cheney Road.

Adopt Town Road and Bridge Standards sent by VTrans

Maureen noted that it has come to the Selectboard's attention that the Town Road and Bridge Standards sent by VTrans have not yet been adopted (see attached). Maureen reviewed the info but can't answer whether we satisfy the requirements to meet the standards. She was hoping Kord and Richard might be able to address the issues. (Richard was not available due to a family obligation.) Kord did not have the information, but agreed to research the issues and report back at the next meeting.

Winter Personnel Plan

Kord explained that Ralph Wyman has been helping Richard and Kurt on the road crew but he is not interested in doing winter plowing. Kord feels a third road crew member will be needed for snow plowing on a part-time (on-call) basis and that Richard knows someone who may be interested.

Safety Grant Update

Kord reported that we missed the deadline for the safety grants which were awarded in early September.

550 Replacement Plan

Kord reviewed the Town Meeting article approving \$60,000 toward the cost of a new truck to replace the 550. The plan was to buy a new truck outright pending approval of an article for another \$60,000 at the next Town meeting. With the current tax situation, that funding is in jeopardy. Brief discussion followed regarding the 550 truck which Richard uses for winter salting of roads and prefers based on its size and functionality. The concern is possible mechanical issues which could crop up at any time and would likely be expensive.

Red Truck update

Kord reported that shortly after picking up the red truck following repairs, problems were noticed such as the tailgate not seating correctly and an air leak in the tailgate control. These repairs should be minor.

Taxes (topic added)

Kord had hoped Bill Dunkel would be in attendance to discuss strategies for dealing with tax increases. Kord is working on some bullet points and will present his ideas for areas of focus at the next meeting.

Brief discussion followed on budget review which will begin at the next regular Selectboard meeting on October 7. A schedule was sent to the various departments with due dates for budget information. In response to a question about the Social Services Committee, Maureen agreed to ask Peter Chamberlain if he might be interested. Social Services funding will be dependent upon the availability of any discretionary funds.

Correspondence/Payroll/Bills

Correspondence included a quote from Cargill for bulk salt, notice from Blue Flame Gas regarding underground gas lines, and a note from Louise Johnson expressing interest in serving on the Meeting House Committee. (See attached.) Payroll and bills were approved as necessary.

Adjournment

Motion: To adjourn the regular Selectboard meeting at 7:13 p.m.—moved by Maureen—all in favor.

Respectfully submitted,

Joyce Cumming
Selectboard Clerk

Attachments:

- Old photo of directional sign at Meadow Bridge
- Email from Kord Scott to VLCT re: constable questions
- Calendar Year to Fiscal Year budget process info from VLCT
- Town Revaluation Agreement with Green Mountain Appraisals signed August 5, 2013
- Notice of Vacancy on Windham Selectboard
- Town Road & Bridge Standards from VLCT
- Correspondence

DRAFT