**Windham Select Board**

**Regular Meeting**

**May 2, 2016**

**Present: Frank Seawright Chair**

**Kord Scott Selectman**

**Tim Waker Frendly Gathering**

**Nancy Tips Resident**

**Jerry Dyke Resident**

**Gail Wyman Resident**

**Bob Bingham Planning Commission**

**Jo-Jo Chlegoggianis Town Clerk**

**Peter Chamberlain Town Treasurer**

**Kathy Scott Assistant Town Treasurer**

**Everett Hammond Engineer**

**Josh Dryden Road Foreman**

**David Eckman Engineer**

**Alison Trowbridge Select Board Clerk**

Called to Order at 6:30 pm by Frank Seawright. Maureen Bell was not in attendance.

1. **Additions/Deletions:** Additions: Everett Hammond and David Eckman will be coming to discuss paving and culvert projects. Agenda item #7 (statewide parcel mapping) was deleted and will be discussed at some point in the future.

2. **Member of the Public:**

Kathy asked if there should be a moderator for the meeting on 10th and suggested moving it to the Meeting house due to the school multi purpose room being set up for the puppet show. Frank suggested Michael McLaine, the Town Moderator, as the moderator for the meeting. Kathy suggested video taping or audio taping and while there was no disagreement expressed with this idea, there was no decision made either.

3. **Minutes of 4-18-16 and 4-21-16:** Frank was not at the meeting on 4-18 and Maureen who was there was not present to vote on these minutes. The Board reviewed the minutes of 4-21 and Frank made a motion to approve the minutes of 4-21-16. The Board voted all in favor. The 4-18-16 minutes will be taken up by the full board at its next regular meeting.

4. **Frendly Gathering**: Tim Waker came to talk about Frendly Gathering and brought in an entertainment permit application. The Board will review the application and get back to Tim on it. He said everything was going to be the same as last year. The Town has just received a liquor license application from Citizens Cider, of Burlington, for the festival. Tim didn’t know anything about this license application. Frank brought up the idea of attracting younger people to live in Windham and asked if the Town could do a survey for festival participants to find out what it would take for them to want to live here. He asked about the Town putting up a booth with information about the area. Tim was completely receptive to these ideas. He mentioned that the Windham Fire Company was planning to have some sort of presence at the festival (selling tee shirts, hats, etc.) and suggested possibly coordinating with them. He also recommended putting something on the Frendly Gathering website. The festival has insurance and an ambulance is onsite 24-7 during festival and state police check it out 3-4 times/day. Last year there was security at the two ends of Harrington Road, Timber Ridge Road and Glebe Mountain Road and the plan is to keep doing this. Residents on Timber Ridge get passes so they can drive through. About 3500 people attend throughout the weekend. This amount is the maximum number of tickets sold. There might be a smaller festival in the fall but there are no details at this time. The Londonderry farmer’s market, IGA, etc., get a major boost in business from the festival. Josh said that the Festival coordinator has promised $500 for the Fire Company which might be for last year and there could be more for this year. Tim will check up on the Cider Company. He will come to the May 16 Selectboard meeting with more information on the liquor vendor and will also have more information on what the festival will do for the Fire Company.

5. **Town Clerk Hours:** The Town Office hours have changed: it’s open Monday, Tuesday and Wednesday. Thursday and Friday it’s closed.

6. **Wind Project:** Ben Killam, a bear expert, gave a presentation about bears in Grafton. Forest Hammond, the VT Wildlife Biologist, and Jeremy Turner from Meadowsend Timberlands (MTL) were in attendance. VT Fish and Wildlife opposed the wind project at Deerfield (to no avail) due to its impact on significant bear habitat.

The life expectancy for wind projects is approximately 20 years. Beech trees don’t start producing nuts for 40 years and not heavily for 60 years. Beech nuts are very high in protein and fat and are especially important for bears.

8. **Vicious Dog:** Frank reviewed the events in the case of Cathy Clay’s dog, and the court agreement that states the dog must always be wearing a muzzle and behind an electronic fence. The Board signed a letter to Cathy Clay (see attached), informing her of a first violation of the court order and Alison will send it certified mail return receipt requested. After three violations, the stay of the euthanize order will be lifted. Questions came up about Town liability especially if the dog owner doesn’t have homeowner’s insurance (renters). The Board feels like it needs more information.

9. **Proposed Dog Ordinance:** Frank voiced his feelings that the proposed dog ordinance needs more work and that VLCT has offered to help do this. Frank will send it to Sarah at VLCT to work on. The proposed Dog Ordinance was drafted because the previous ordinance didn’t hold up well in the legal process involved with the Clay incident.

10. **Humane Society as Poundkeeper:** Alison will email to the Board the contract from WCHS for their review and possible approval at next meeting (5/15/16).

11. **Paving Project**: Everett Hammond spoke about the paving bids. He stated that paving prices have dropped since last year. The section of 121 from Londonderry could use a shim and overlay and then the chip sealing could start 5436’ from the town line. He distributed a map (see attached). On Windham Hill Road, from the 4 corners, there will be about a 1 mile of repaving. Repaving prices are based on the asphalt price index published by the State. $273,962 was the original estimate. $322,770.09 is new figure for paving and for chip sealing the estimate is $131,270. The total estimate is $454,049 for shimming, overlay and chip sealing.

**Shoulder Work:** The Town has allotted $8,000 maximum for shoulder work. Josh asked about the texture of the milled product and whether the Town could have it dumped at the Town garage and then they mix it and use it for shoulder fill. This could save on hauling and provide material for building up road. Everett isn’t sure if this would comply with the State’s environmental requirements for used asphalt. 300-500 yards is expected from the milling. The crusher gets sticky processing used chunks of asphalt.

**Paving Contract:** Frank signed the paving agreement between VT Roadworks and the Town of Windham to be completed by July 1, 2016 (see attached). Everett will send a copy of the signed contract to VT Roadworks.

12. **Culvert Agreement:** Five culverts/bridges are in the agreement. **1.** The White Road culvert (will be started next week.) **2.** The Abbott Road culvert, **3**. The Rt. 121 bridge: 18’ span, **4.** Mercy Lane: 20’ span, **5**. the hydraulic study for bridge #14 on Rt. 121. Pre-cast culverts don’t work for skewed situations. Cast in place can be better for these situations. Everett has been hired to a fulltime position in the Town of Hartford and so David Eckman, of Eckman Engineering, will take over. Two culverts will be assigned to Everett (nos. 1 & 2 above) to finish and the remaining will go to David. David suggested that Everett and the Board sign over to him the contract for Rt. 121, Mercy Lane and Bridge 121. Everett will draft up a letter to this effect. David said he will honor the figures that Everett was to receive for payment.

13. **Old Business:** The Town Garage roof, the question of a new garage and the road crew performance reviews all came up as old business. Josh said he will follow up with Asa Goodband on the garage roof. The Board felt it made sense to patch the roof because it is not possible to build a new building soon enough. Josh talked about roadside mowing. Bruce Orcutt and M&M came up as the names of nearby contractors who also mow.

**Performance reviews:** Kord will be schedule these before before the next meeting (May 16). He is working on the format.

14. **Treasurer’s Report:** Peter went to a FEMA presentation which was helpful in pointing out where to find the volumes of rules involved with FEMA projects. If an audit occurs, and there is an error such as a cost overrun, FEMA can withhold funds or take them back. There will be an upcoming workshop on debris put on by VT Local Roads for FEMA. This is pertinent because there are FEMA rules governing the removal of debris.

15. **Additions to Email List for Agenda**: Josh requested that he be added to the list of people who get emailed the agenda. Alison said that Laura from MTL would like to be added.

16. **Correspondence:**

**VTrans Spring Meeting forms:** The Board signed documents from VTrans. **Certificate of Highway Mileage:** The Board reviewed the Certificate of Highway Mileage which described the following mileages: 9.2 miles of Class 2 roads, 22.79 Class 3, State Highway: 0.356mi.

**Heating Service Contract for Town Office:** Bill Farace submitted a contract to do Town Office heating service for 2016. This will be reviewed by Kord and discussed at the next Select Board meeting.

**Water Meeting**: Alyssa Sabetto of WRC will be doing a meeting on water resources in Townshend on May 9.

17**. Motion to Adjourn**: Frank made a motion to adjourn at 8:25 pm. The Board voted all in favor.

Adjourned at 8:25 pm.

Date Approved: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Select Board Clerk: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

For File:

Letter to Cathy Clay

Zoning Permit for office at Meadowsbee farm,

Re-appraisal Evaluation-Equalization Study

Contract for Bill Farace to do Town Office heating service for 2016

Building permit for Lee Merinoff

All States Asphalt Proposal/Contract

2016 Paving Plan Map

Town Paving Agreement 2016

Eckman Engineering Maps: VT Rt. 121, White Rd, Abbott Rd, Mercy Rd