

**Ernest K Friedli
631 Burbee Pond Rd
Windham, Vermont 05359**

September 2, 2019

**Town Selectboard
Windham, Vt.**

Subject: Increased Taxes 2019, Trends and Omissions

Upon receipt of the 2019 tax bill, I had to realize an increase of taxes of 25%. Not having attended the town meeting in March I wondered if those in attendance had been informed of the increase that would result if all articles were approved as presented or modified by vote.

I compared the current tax bill with the previous 2018.

School (Represents 71.4% of our taxes) A 22.7% increase. Several comments need to be made here. It is to be noted that the school budget is voted at the town meeting on approximately \$400,000. However, the end result for tax purposes results in this town collecting approximately \$1.4 million, a State contrived amount. The amount of time spent at a town meeting would be better spent on town matters. The high school budgets are conducted at a meeting called at the high school and debated. Our school is not managed by our town management and the budget hearing might better be conducted in like fashion by the school. Every town in the state of Vermont has a different tax rate applied. The understanding of this situation is difficult to understand with Windham being at the high-end tax rate. With this representing 71% of our taxes, I leave it for further discussion at another time.

Municipal Tax: (represents 28.6% of our overall taxes) The overall tax increases this year is 25%. The tax bill indicates an additional item this year for "road machinery." More will be said later. Three items relating to roads and bridges and road machinery increased by 46% as compared to last year. General funds increased by 2%. The grand list rose by 2.06% which would have reduced taxes by 2% if the budget had not increased, which means the budgets went up by 27%

Referring to the town report for a better understanding of these increases, I cannot help but note a further deterioration of the information contained therein.

It should be noted that many reports have been discontinued over the years. A very important such report, "Cash Flow" had been added many years ago. Its importance was recognized by the fact that Windham is on a cash flow basis beginning January 1, ending December 31, unlike other towns which have their fiscal year from July 1 to June '30 of the following year. Windham begins its expenditures on January 1, but votes on new revenues in March, collected

**November 1. How does Windham meet the obligations over the 10-month period?
How close do we come to needing to borrow?**

Roads: The “equipment fund” disappeared many years ago. It had been recognized by previous town management that there was a need to advertise the use of equipment as a cost of each year. Road crews were provided with a card of each substantial piece of equipment upon which its hourly use was recorded. A truck for example was listed on the computer to \$30.00 per hour, a snowplow in use at \$20.00, the sander at \$20.00, the chain saw \$5.00, etc. Changes to these rates were made as replacement equipment costs rose. The total hours monthly of each item was calculated by the computer and the sum to be put aside as a capital account for replacement of equipment. The yearly cost of the equipment is no longer included in the cost of our roads and prompted the addition of the added item this year “road machinery”. What else can I conclude?

The roads report no longer includes the income derived from the State nor does it break down winter and summer roads as in the past. Equipment usage for each is not reflected as well as carry forwards so total available funds are not reported.

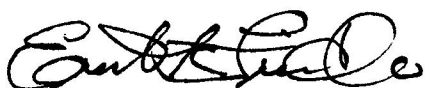
Income/Expenses: This report has become a mixture of various accounts, some of which have no place representing expenditures to or from the tax results. Items as “Loggers Bonds”, “Housing Rehab” maintained in separate bank accounts confuse the real income and expense statement. When referring back to the reported sweep account and designated account listed under assets, the income and expense report does not reconcile those accounts.

Coming back to the cash flow account which was absent, the asset account indicates a sweep account \$1,326,073 at the end of year 2018. Reconciling this amount is not possible (using this report) and no reconciliation is shown. The delinquent tax report no longer provides a history of previous years. The last such report indicated that year over year of taxes increased over the previous 10 years, school 42%, municipal 88%, total 54%. Over that period, a total of delinquent taxes, interest and penalty, added \$1,212,284. These incoming funds are not regarded as accounts receivable nor are they budgeted. It may explain in part the large amount of funds available at the end of the year as seen above. A town is not a profit and loss institution.

What is the real sum of money that should be left at the end of the year? Under budget items, capital accounts, school final payment due to fiscal year difference, and a rainy-day fund that is allowed by voter agreement. That is all.

The report indicates a designated fund of \$459,495. leaving the above 1.3 million.

The many pages of confusing reports, errors and omissions are too may to continue. I submit that there are serious problems relating to town financial responsibility. I have said it before, and repeat, there is no one in charge.



Summary of Changes to Windham's Zoning Regulations

7/3/19

Overview:

The Town Plan mandates the protection of Windham's prominent ridgelines above 2000 feet in elevation, which are to be left in their natural condition. (see p. 72, Windham Town Plan.) This is easier said than done, due to the difficulty of legally defining a ridgeline, let alone a prominent one. In addition, there is the challenge of protecting land above 2000 feet without unduly restricting the rights of the owners of property above 2000 feet throughout Windham.

Proposed Changes:

The Planning Commission proposes the following changes in our zoning regulations:

I. Creation of a new zoning district, Sec. 201.7, High Elevation Resource Protection Overlay. This overlay district includes all land above 2000 feet in elevation in all Forest Districts. The sole permitted use in this district is commercial forestry (including maple sugaring) in compliance with all state regulations, including the most current version of "Acceptable Management Practices for Maintaining Water Quality on Logging Jobs in Vermont" (published by the Vermont Department of Forests, Parks and Recreation).

The only conditional uses are pasturing livestock on existing open land, forestry for research and educational purposes and private camps. Conditional uses shall comply with the standards outlined in Sections 206 and 209 of the Windham zoning regulations. In addition, the Zoning Board of Adjustment shall consider conditional uses in relation to existing vegetation and topography and may impose additional conditions as outlined the full text of Sec. 201.7.

A map of the High Elevation RPA has been created and is included in the revised regulations. The problematic term "ridgelines" has been eliminated throughout the zoning regulations and "land above 2000 feet in elevation in Forest Districts" has been substituted for it.

II. Rewrite Section 201.3 (Forest District) to delineate activities allowed below 2000 feet and above 2000 feet.

Proposed Permitted Uses Below 2000 feet

1. Agriculture
2. Commercial forestry
3. Forestry for research, demonstration, education and related uses
4. Private hunting or fishing camp
5. Accessory uses

Proposed Conditional Uses on land below 2000 feet elevation:

1. Single family dwelling with state approved septic system.
2. A recreational camp for seasonal or occasional use for non-commercial, limited outdoor recreation
3. Extraction of Earth Resources (must comply with Sec. 504)
4. Solar arrays and individual wind energy systems.

Proposed Permitted Uses on land above 2000 feet elevation:

1. Commercial Forestry (including maple sugaring)

Conditional Uses on land above 2000 feet in elevation

1. Pasturing livestock on previously open land.
2. Forestry for research, demonstration, education and related uses
3. Private camp

III. Change the boundary of Timber Ridge Recreational/Commercial District

to include the ski trails.

(N.B. The trails were in the Forest District. Moving them into the Commercial/Recreational district allows possible solar or small wind projects without having to create a special zoning exceptions for homes in the entire Timber Ridge area. It also acknowledges the current recreational use of the trails and allows for their future commercial use subject to Sec. 201.1, if the landowner so desires.

IV. Revise Sec. 201.5 (resource Protection Overlay (RPA))

The purpose and enforcement of this section is vague in the current zoning regulations. Our revision clarifies that the purpose of the RPA overlay is to protect these important resources and provide for a diversity of wildlife habitat. The revision also gives the Zoning Board of Adjustment the responsibility of reviewing site plans and approving or denying development projects in the RPA overlay district. Permitted and conditional uses in the RPA overlay are those which exist in the underlying zoning districts subject to site plan review by the ZBA.

V. Change Sec. 207 Prohibited Use #4 to eliminate “ridgelines” and say “Development on lands above 2000 feet elevation in Forest Districts except for the conditional uses described in Sec. 201.7.”

VI. Eliminate Performance Standard #10 in Sec. 209 because the new High Elevation Resource Protection Overlay District (Sec. 201.7) makes it redundant.

VII. Revise Sec. 505 as follows:

- 1) Add a second sentence to the first paragraph to say “Wind installations are subject to restrictions set out in Sections 207 and 209 of these regulations.”
- 2) Under the heading Abandonment, change bullet point two to say “Physical removal of all above ground structures, equipment and security barriers from the site.”

VIII. Revise Sec. 506 as follows:

“Physical removal of all above ground mounted solar unit installations including the structures, equipment, and security barriers from the site.”

Adopted by Windham Selectboard

September 2, 2019

Maryann Ben
[Signature]
HJ Wilkins

Summary of Changes in the Enhanced Energy Plan
Adopted by Planning Commission on June 12, 2019

Policy 3.1, Action Step # 4. Eliminate reference to ridgelines and instead say:

“Lands 2000 feet in elevation or higher in Forest Districts shall be left in their natural condition, free from all development, including roads, building structures, utilities, wireless broadcast telecommunications facilities, and industrial wind turbines (except camps as provided for in Chapter IX of the Town Plan and subject to the conditions articulated in Sec. 201.7 of Windham’s zoning regulations.)

Policy 4.7, Bullet point #2 Eliminate reference to ridgelines and instead say

“Fragile natural areas including all lands 2000 feet in elevation or higher in Forest Districts”

Policy 4.12 Eliminate references to ridgelines and instead say:

“Lands 2000 feet in elevation or higher in Forest Districts shall be left in their natural condition, free from all development, including roads, building structures, utilities, wireless broadcast telecommunications facilities, and industrial wind turbines (except camps as provided for in Chapter IX of the Town Plan and subject to the conditions articulated in Sec. 201.7 of Windham’s zoning regulations.)

The town prohibits any commercial or industrial operations on land above 2000 feet in Forest Districts other than forestry and will not support any commercial or industrial activity that exceeds the capacity of its public infrastructure, including emergency response assets.”

Adopted by Windham Selectboard
September 2, 2019

Mary Ben
K. [Signature]
H.J. Williams

Finn Hill Construction

P. O. Box 196

Chester, VT 05143



INVOICE

DATE 8-4-2015

SOLD TO

Town of Winetham
.....
.....
.....
.....

Phone

802-875-4036

FOR SERVICES RENDERED:

Demolition + Removal of Steps 1500.00

Labor + Material To Replace

Sill + Plywood + Remove Door Frame Door

Opening + Replace Rotted Sill + Insulate

Door Opening, Fix up to 12' of Siding

Does Not Include any Repair of

Floor Joist if Rotted, Sheetrock Old

Door Opening,

Labor + Materials 3200.00

Dump 45.00

Total Estimate 4745.00

Joseph Lapsen
5570 Popple Run Rd
Chester, VT 05143

THANK YOU

PLEASE PAY THIS AMOUNT.....

After 30 days 2% interest per month will be added.

WINDHAM TOWN OFFICE
REPAIR OF SOUTH WALL DOOR AND SIDING

- OPTION 1—REPLACE DOOR AND REPAIR WALL

- ✓
 - REMOVE CONCRETE STEPS
 - REMOVE WATER TABLE TRIM
 - REMOVE ROTTEN SIDING AS NEEDED
 - 777
 - REMOVE OLD DOOR AND INTERIOR TRIM
 - REMOVE ROTTED SHEATHING
 - INVESTIGATE DEPTH OF ROT INTO RIM JOIST AND/OR JOISTS
 - REPLACE ROTTEN FRAMING WITH SOUND WOOD
 - RE-SHEATHE WITH NEW PLYWOOD
 - BUILDING WRAP (30# FELT)
 - NEW FIBERGLASS DOOR AND TRIM
 - SPRAY FOAM AROUND DOOR OPENING
 - NEW INTERIOR TRIM
 - NEW PRIMED CLAPBOARDS INSTALLED
 - NEW WATER TABLE TRIM INSTALLED
 - NEW STEPS WITH GRATE INSTALLED
 - BEST PRACTICE: PENT ROOF INSTALLED OVER DOORWAY

- OPTION 2—REMOVE DOOR AND MAKE SOLID WALL—SUBJECT TO APPROVAL BY FIRE MARSHAL
(not clear from VERMONT 2015 FIRE AND BUILDING SAFETY CODE)

- REMOVE CONCRETE STEPS
- REMOVE WATER TABLE TRIM
- REMOVE ROTTEN SIDING AS NEEDED
- REMOVE OLD DOOR AND INTERIOR TRIM
- REMOVE ROTTED SHEATHING
- INVESTIGATE DEPTH OF ROT INTO RIM JOIST AND/OR JOISTS
- REPLACE ROTTEN FRAMING WITH SOUND WOOD
- NEW STUDS IN DOOR OPENING
- INSULATION IN BETWEEN STUDS
- RE-SHEATHE WITH NEW PLYWOOD
- BUILDING WRAP (30# FELT)
- NEW PRIMED CLAPBOARDS INSTALLED
- NEW WATER TABLE TRIM INSTALLED
- NEW DRYWALL INSTALLED, TAPED, MUDDED, AND PAINTED
- NEW BASEBOARD TRIM INSTALLED

August 26, 2019



Received
AUG 26 2019
Town of Windham, VT

**Town Clerk
5976 Windham Hill Road
Windham, VT 05359**

Dear ,

Recently it was brought to our attention that some of the towns we serve with our fiber optic telephone service would like us to provide a workshop or information session regarding the fiber optic network and its reliance on consumer provided power. This consumer-provided power is usually through a commercial network, such as GMP, but sometimes through a consumer's privately owned alternative energy system, such as a solar or wind alternative.

The information session would include information on the battery backup system that VTel installed at the home/business when it was transitioned to the fiber network, as well as information regarding extended battery packs that can allow a longer battery life in those areas where consumers are concerned with extended commercial power outages.

We would be happy to provide your town, Windham, with that type of workshop or information session if you would like. We can work with you to schedule a session during a weekend or an evening when more consumers would likely be available to attend. This service would, of course, be no charge to your constituents or to the town itself—we simply want to make sure that consumers are as informed as possible.

Thank you for considering this option. Please feel free to call or email me at my contact information below and we can discuss scheduling options.

Best Regards,

Amber Wilson
Customer Care Operations Manager
Vermont Telephone Co., Inc. / VTel Wireless, Inc.
Team Member Since 1997
Phone: 802 885-9000
FAX: 802 885-4929
E-Mail: awilson@vermontel.com

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State's Attorney

DAVID W. GARTENSTEIN
STEVEN M. BROWN
KERRY MCDONALD-CADY
DANA NEVINS
JOHNS H. CONGDON
Deputy State's Attorneys

SAMUEL MORRIS
Investigator



**OFFICE OF THE
WINDHAM COUNTY STATE'S ATTORNEY**

185 MAIN STREET
POST OFFICE BOX 785
BRATTLEBORO, VERMONT 05302
TEL (802) 257-2860
FAX (802) 257-2864

CAROL SCOTT
KATI SELL-KNAPP
CHRISTOPHER A. LUKASIK
Victim Advocates

ANGELA L. SANBORN
GIANNA ROBINSON
Administrative Assistants

August 23, 2019

State of Vermont v. Travis Despain
Offense: Burglary
Date of Offense: Various Dates in 2015, 2016 and 2017

To Whom It May Concern,

This is to inform you on August 15, 2019 the defendant appeared in Vermont Superior Court, Windham Family Division, in Brattleboro, for a Change of Plea Hearing. At this hearing, the defendant entered into a plea agreement with the State of Vermont, which includes:

The defendant pled guilty to five counts of **Burglary** and one count of **Burglary into an Occupied Dwelling**. As part of the plea agreement, the defendant was sentenced to 5-12 years, suspended for 5 years. This means that the defendant will be on Probation for 5 years, and during this time if he does not violate the terms of his Probation, the defendant will not have to serve the 5-12 years in jail.

The defendant will be supervised out of the Springfield Probation and Parole Office in Springfield, VT. His Probation Officer is Joey Holmes, who can be reached at 802-885-3544.

As part of the plea agreement, the defendant was order to pay restitution, however we did not receive a restitution request from you related to this case. The Court can only order restitution that is verified by paperwork detailing the losses. If you would like to ask the Court for Restitution, please return the attached paperwork to me by **September 15, 2019**. You can also email it to me (christopher.lukasik@vermont.gov) or fax it to me (802-257-2864).

The case is now closed and will no longer be further prosecuted. If you have any questions, please feel free to call me at 802-257-2860.

Sincerely,


Christopher A. Lukasik
Victim Advocate

Town of Windham, VT

AUG 26 2019

Received

RESTITUTION CLAIM FORM

If you incur expenses or suffer a financial loss as the direct result of a crime, you may be able to recover money, or restitution, from the defendant(s) provided that he/she is convicted through the criminal court proceedings. Your request for restitution can only be for uninsured losses or expenses that are a direct result of the crime and meet the statutory and eligibility requirements according to Vermont Law and the Vermont Restitution Unit. Insured losses are not recoverable restitution under Vermont's restitution statute, nor is pain and suffering. Types of losses may include an insurance deductible, medical bills and co-pays, lost wages and losses or repairs of personal property. **Medical bills and lost wages incurred as a result of a violent crime MUST go through the Victims' Compensation Program first.** There is no guarantee that the court will order restitution. You must include copies of insurance information, bills, receipts, estimates, invoices or any other documentation to support your request for restitution. If you have questions about what are acceptable forms of documentation, please call your Victim Advocate.

YOUR NAME: _____
STATE OF VERMONT v. _____
OFFENSE(S): _____

YOU ONLY NEED TO COMPLETE THE SECTIONS THAT APPLY TO YOU.

Please list your personal belongings or property lost, damaged or destroyed as a result of the crime and its value (i.e. motor vehicle damage, other personal property damage, property stolen and not recovered, etc.) Please attach estimates, receipts, bill, etc. _____

Total replacement/repair cost: \$ _____
Total amount covered by insurance: \$ _____
Insurance deductible (please attach copy of policy showing deductible) \$ _____

Total medical expenses incurred (Please attach bills and/or copies of receipts) \$ _____
Total amount of covered by insurance \$ _____ Insurance Company _____

Number of hours lost from school or work: _____
Wages lost (you may NOT request restitution for lost wages if you were paid by your employer using vacation or sick time). Please attach documentation. \$ _____

Do you anticipate any future expenses as a direct result of this crime? _____
If yes, please describe what expenses you anticipate: _____

Please describe any other crime related expenses with supporting documentation: _____

TOTAL AMOUNT OF UNINSURED RESTITUTION REQUESTED: \$ _____

Mail to: Victim Advocate, Windham County State's Attorney's Office, P.O. Box 785, Brattleboro, VT 05302.