

Windham VT Town Plan Hearing & Selectboard Meeting Minutes
December 16, 2019 Meeting

Present for Town Plan Hearing & Selectboard Meeting:

Maureen Bell, Selectwoman
Peter Chamberlain, Selectman
Bill Dunkel, Town Planning Commission
Joyce Cumming, Selectboard Clerk
Sargent Robert Lakin
Kathy Jungermann, Auditor

Kord Scott, Selectman
Vance Bell, Energy Commission
Tom Johnson, Energy Commission
Russ Cumming, Lister
Louise Johnson, Windham Meetinghouse Committee
Gail Wyman, Asst. Treasurer

Present for Selectboard Meeting:

Bob Bingham
Ginny Crittenden, Conservation Comm.
Sally Hoover, Auditor
Palmer Goodrich (Eastman Sand & Gravel)
Steve Maurath
Kathy Scott, Treasurer

Dawn Bower, Various Commissions
Dave Crittenden, W. Windham Cemetery Commission
John Hoover, Justice of Peace
Imme Maurath, Auditor
Richard Paré, Road Foreman

Public Hearing on Town Plan

Maureen opened the Selectboard Public Hearing on the Town Plan at 5:00 p.m. Town Planning/Energy Commission members included Bill Dunkel, Vance Bell, and Tom Johnson. Bill noted that the Public Hearing is an opportunity for the public to offer comments and ask questions re: the proposed changes to the Town Plan and Energy Plan. Comments at the Planning Commission's Public Hearing were very helpful. Bill also noted that upon approval of the plan by the Selectboard, the Town Plan must be submitted to the Windham Regional Commission and the Commissioner of Housing and Community Development within 30 days along with a letter from the Selectboard requesting that the WRC review the plan to ensure compliance. (See attached Vermont Statutes §4350 and §4385.) The letter will also include a request for a certificate of compliance on the Town Energy Plan. In addition, a 14 page form must accompany the submission; Bill will begin completing the form. The plan will be valid for eight years and the WRC will review it at least twice during this 8-year period. Members of the Selectboard thanked the Town Planning Commission and Energy Commission members for their hard work. Motion by Kord Scott to adjourn the Public Hearing at 5:08 p.m. was unanimously approved.

Selectboard Meeting

Call to Order

Maureen called the Selectboard Meeting to order at 5:08 p.m. Additional attendees joined the meeting over the next 10 to 15 minutes (see above).

Additions to Agenda/Announcements/Reminders

- Kord requested the addition of items re: donating scrap metal, disposal of wood from tree removal, and a containment device for the fuel tanks at the Town Garage.

- Kord noted recent discussion with Russ Cumming about an icy section of Windham Hill Road in West Townshend and safety concerns re: student transportation. Kord suggested the Selectboard issue a letter citing concerns.
- Maureen noted that the Windham Region Broadband Project Kickoff will be held January 16, 2019 from 6 – 8 p.m. at the Newbrook Fire Dept., Newfane (see attached). Bill plans to attend following the Energy Commission meeting that afternoon and is willing to carpool. Everyone is encouraged to attend.

Act on minutes: December 3, 2019 Regular Selectboard Meeting-corrected

Motion: To accept the minutes of the December 3, 2019 Regular Selectboard Meeting with correction—moved by Maureen—all in favor.

Maureen noted that Rachel Spengler will attend an upcoming Selectboard meeting to follow up on Dr. Cherry's recent presentation regarding ambulance/rescue services.

Public Comment

Sargent Lakin asked whether the Selectboard or residents had any concerns to pass along to the Sheriff. He noted a request from a South Windham resident. In regard to the icy section of Windham Hill Road noted earlier, Sgt. Lakin was not aware of any accident reports in that area.

New Business:

Adopt 2020 Town Plan

Following the Public Hearing which preceded the meeting, the Selectboard may now take formal action to adopt the 2020 Town Plan. Bill Dunkel noted a minor grammatical correction on page 34. That page will be reprinted with the correction and submitted with the other documents as discussed at the Public Hearing. Bill will provide specific wording for the letter to accompany the Town Plan; he also noted that all documentation is to be submitted digitally. There was no other discussion.

Motion: To adopt the 2020 Town Plan with minor correction (p. 34)—moved by Kord—all in favor.

Special Town Meeting Discussion

Maureen offered a reminder re: the Special Town Meeting on Wednesday, December 18, 2019 at 6:00 p.m. at the Meeting House. There are 4 articles being voted. The procedure for the Special Town Meeting will be the same as the Annual Town Meeting with Mike McLaine serving as Moderator and motions from the floor. Paper ballots will be used if requested by 7 or more voters.

The Meeting House:

Make the Meeting House its own budget category

Maureen commented that moving the Meeting House from the Appropriations budget to its own budget category makes sense since the Meeting House is its own entity. Russ noted that the Meeting House expenses outlined by the Meeting House Committee did not include insurance since that cost cannot be quoted until the Church conveys its ownership share to the Town.

Motion: To remove the Meeting House from the Appropriations budget and create a separate Meeting House budget category as suggested by the Treasurer—moved by Maureen—all in favor.

Transfer to Town ownership – review attorney recommendations and set timetable

Kord forwarded email communications from the Town Attorney prior to the meeting. He noted that the Church Board needs to pass a resolution to convey its share of ownership to the Town and that this must be approved by 67% of the Church membership. Dave Crittenden received the email earlier today and needs more time to review it in greater detail. Maureen asked about the notice requirement of 20 or 30 days, and the difference between a non-profit and a public benefit corporation; Bob Fisher will be consulted.

Dave Crittenden noted that insurance premiums are paid until February and suggested transferring ownership after the first of the year. Brief discussion followed on insurance coverage and quotes to be solicited after ownership is conveyed. Other factors to be considered include the historic nature of the building and whether coverage, in the event of a catastrophe, should provide for re-building as is. Dave noted that the insurance premiums were higher in the past because of the summer camp. Dave will review the email from Bob Fisher and both parties will aim for a closing after January 1.

Budgeting:

Next special budget meeting: Equipment fund and Roads December 30? What time?

Maureen noted that the schedule for budget review developed by the Treasurer included an extra Selectboard meeting on December 30 to review the equipment fund and winter/summer roads. After brief discussion with Kord about whether the Roads budget required 2 or 3 meetings, it was agreed to proceed with a meeting on December 30 at 12:00 noon. The meeting will be warned and open to the public.

Updates from last meeting:

- **VT DEC Watershed \$0:** Maureen contacted the Windham Regional Commission after the last meeting and determined that this fee will not apply for the 2020 budget.
- **Municipal Roads General Permit (MRGP) annual fee \$500:** Maureen reported that the MRGP annual fee is based on the Town size and the fee for next year will be \$500.
- **MRGP Permit Amendment Form due with Roads Erosion Inventory \$240:** The amendment form is due at the end of the year and is tied to the Road Erosion Inventory. The amount is \$240. Kord reported receiving preliminary information and expects receipt of the bill before the end of the year for work on the REI.
- **Transfer Station:** Kathy Scott followed up with Esther Fishman and learned that the amount for 2020 is \$13,988. While the fee was anticipated to increase for 2020, this amount is actually a reduction from the current year expense of \$15,393.

Retreatment & Bridges/Culverts

Kord reviewed the Town's Long Term Paving Plan (see attached). At the last Town Meeting, an article passed to approve \$90,000 for repaving. A grant was received and half of the money, \$3,840, was applied to the paving plan (remainder to bridges & culverts). State Aid for Transportation contributed \$73,034 for a balance of \$424,536. The expense for the repaving work completed this year on sections of Windham Hill Road came to \$419,348, leaving a balance of \$5,188. Kord suggested requesting another appropriation of \$90,000 for

repaving at the 2020 Annual Meeting. If approved, this amount along with State Aid for Transportation of \$73,034 and a government grant of \$175,000 would bring the balance to \$343,322. In response to a question from Imme re: the \$175,000 grant, Kord explained that towns are eligible for the grant every 5 to 6 years. V-Trans is responsible for evaluating the needs of each town and determining which town(s) will receive the grant. Windham did not receive a grant in 2019 but might in 2020. Windham last received this grant in 2016. With respect to which roads to repave in the future, Kord has discussed it with Richard but no decisions have been made. Kord suggested waiting to determine whether Windham will receive the \$175,000 grant in 2020 and if so, contacting the engineer for his input.

Discussion followed on chip-sealing, which involves mixing between 5%-10% rubber into the asphalt. This process was used experimentally on Horsenail Hill Road and part of White Road in the past. Because the rubber is more flexible than asphalt alone, this process seals the road better and extends the time before repaving is required. Chip-seal was not used in the recent repaving of Windham Hill Road due to the expense. When asked for an opinion on the chip-seal process, Steve Maurath said he could not comment on White Road which does not get much traffic. Imme noted stress cracks developing in the areas of culverts and asked about crack-sealing during the summer to extend the life of the paving work. Chip-seal can also be applied over the paved road. Maureen referenced Everett Hammond's recommendation to focus attention and resources on maintaining roads rather than using a worse-first approach. Ultimately, the amount of funding available will determine the extent and timing of retreatment efforts in the future.

At last year's Town Meeting, an appropriation of \$15,000 was approved for Bridges and Culverts. Another \$3,840 was applied to Bridges and Culverts from grant funding. Per Kathy Scott's reconciliation report, the income for Bridges and Culverts totaled \$59,992.76 (see attached). Expenses totaled \$29,097.85 for culverts and road material in preparation for the repaving work completed this year. Approximately 18 culverts were replaced this year with another 4 or 5 culverts remaining to be done with materials on hand. The balance for Bridges & Culverts is \$30,894.91. Kord noted that the Harrington Road culvert has not yet been addressed. Kord recommends requesting another \$15,000 appropriation for Bridges & Culverts at the Annual Town Meeting. Kord applied for another grant to help fund the Rt. 121 culvert project which is anticipated to cost approx. \$350,000. Two grant awards will expire this summer, if not used. Kathy suggested borrowing money in order to utilize the grant funding rather than losing it. Brief discussion followed on an icy section near Corn Hill Road where the driveway culvert needs to be replaced; discussion on responsibility for this work will occur at a future meeting.

The Meeting House – if time allows

This budget will be reviewed at a future meeting.

Roads:

Sand/updated proposals

Kord reported that Eastman Sand & Gravel was awarded the contract for sand at the October 7 Selectboard meeting based on a bid of \$13.95 per yard for approx. 2000 yards of 9/16" screened road sand delivered to the Town Garage for the 2019-2020 winter season. Maureen introduced Palmer Goodrich of P&L Trucking/Eastman Sand & Gravel. While Eastman's bid satisfied the 9/16" screening requirement of the specs, Richard noted that the sand did not contain as much stone/gravel as the Town would like and discussed the content of the material with Palmer. Palmer suggested adding 4 yards of stone to each load of sand (16 yds.) to be delivered going forward at a revised quote of \$15.20/yd. delivered. Palmer also offered to provide stone at \$1.25 per yard to be

mixed in to the 6 loads that were already delivered. It was agreed that specifications for sand must be spelled out better in the future. Kord noted that at the time of the bid award in October, one supplier (Reynaud) requested that its bid be pulled due to a conflict which necessitated ceasing operations for a period. Reynaud has since resolved the issue and is back in business. Reynaud bid \$15.90/yd. delivered. Hill bid \$15.50/yd. delivered. Eastman originally bid \$13.95/yd. delivered; revised bid to \$15.20/yd. with more stone delivered. Kord noted that the sand with more stone from Eastman Sand & Gravel was superior to the product from Reynaud and recommended that the Selectboard accept the revised bid from Eastman. As auditor, Imme asked a question about how the tickets for the sand would be worded, and it was agreed to use “winter roads sand” to identify the sand with stone mixed in.

Motion: To accept the revised bid from Eastman Sand & Gravel at \$15.20/yard for all future deliveries of “winter roads sand”; and pay an additional \$1.25/yd. for stone to be mixed into the 96 yards (6 loads) of sand already delivered—moved by Kord—all in favor.

Kathy Scott commented on a Purchase Order book she located; Kathy will work with Richard on the use of Purchase Orders going forward.

Guardrails repair – review and award bids

Kord announced that sealed bids were not required for this work and that 2 quotes were received. Springfield Fence did not submit a quote. Vermont Recreational quoted \$13,512 and is willing to do the work this year; Lafayette Highway Specialty quoted \$20,990 but can't make repairs until the spring (see quotes attached). There is \$11,000 available for guardrail repair in the budget. Richard escorted the contractors through Town to identify the guardrails needing repair but left the scope of the work to the contractor's discretion as long as the guardrails were safe and not jagged. The road crew has since marked the locations of the guardrails to avoid damage when plowing. Kord noted that this line item will not need to be budgeted next year. Brief discussion followed on the need for flaggers/traffic control while the work is underway. Lafayette quoted an additional \$38/hour per flagger (2 flaggers needed) plus \$75/day for signage. Vermont Recreational did not quote a price for traffic control. The work is anticipated to take 3 to 4 days to complete. Maureen suggested saving the town some money by having her and Kord conduct Traffic Control; both are certified for this work. The Town is responsible for calling Dig Safe.

Motion: To award the contract for Guardrail Repair to Vermont Recreational at \$13,512 per quote; traffic control to be determined—moved by Kord—all in favor.

Richard will ask Vermont Recreational to quote on traffic control.

Employee Evaluation results/sign confirmation letters

Maureen noted that semi-annual reviews of employee performance were conducted for both Kurt and Richard. The Selectboard signed off on the letters to both employees outlining the results of their evaluations. Joyce placed copies in personnel files; Maureen will mail the letters.

Lunch with Road Crew

The Selectboard discussed a date for a casual lunch with the Road Crew; Thursday of this week was suggested, assuming plowing doesn't require overtime. Kord will pick up sandwiches for the Selectboard and Road Crew.

Maureen noted the need to warn the meeting if business is discussed. Maureen announced that Asa Goodband was hired as a part-time member of the road crew and worked one day so far; Kathy needs his timecard for this.

Item added: Donation of Scrap Metal

Kord reported that Jerry Amsden is collecting scrap metal to offset the cost of his wife's medical treatment. While the culverts were already discarded, the Town does have almost a ton of scrap metal available to donate. Jerry is willing to pick up and take away the metal. Scrap metal is worth approximately \$85/ton.

Motion: To donate the Town's current supply of scrap metal to Jerry Amsden—moved by Kord—all in favor.

Item added: Disposal of wood from tree removal

Kord explained how ANUFF (A Neighborhood United For Fuel) Wood program works: volunteers cut, split and stack wood for neighbors in exchange for having volunteers help cut, split and stack wood for them. Generally, a dozen or more volunteers show up for a project. ANUFF Wood is in the process of developing a stockpile of firewood to supplement residents' supply if they run out toward the end of the season. Richard is currently working with Michael Longo to identify trees that are weak/dying/diseased and need to be removed. Generally, the wood from the trees is offered to residents in the area of the work if they want it. If not, Richard takes it to the Londonderry Transfer Station for disposal. Kord suggested that extra/unwanted firewood be donated to the ANUFF Wood stockpile on Old Acton Road. Richard is willing to load and deliver it to the stockpile which is closer than Londonderry. Brief discussion followed on trees near power lines and the emerald ash bore which has been spotted in Londonderry.

Motion: To donate excess wood for delivery to the ANUFF Wood stockpile on Old Acton Road—moved by Peter—all in favor.

Bill announced a presentation on the emerald ash bore which will be held on Thursday, January 9 at 6:30 p.m. at Town Hall in Londonderry. Imme is interested in attending and shared a brief anecdote on how people unknowingly contribute to the spread of the emerald ash bore by transporting wood across state lines. She may write an article on the topic for an upcoming issue of News and Notes.

Item added: Containment Device

Kord explained the issue at the Town Garage caused by the fuel tank settling and shifting, and damage to the side of the salt shed as a result. A quote was received from Record Concrete, and Asa Goodband quoted on the roof repair. Kord noted that there is a containment device made of plastic that may help address the problem. He will bring additional information for further discussion at an upcoming meeting.

Item added: Ice on Windham Hill Road

Kord volunteered to draft a letter to the West Townshend Selectboard regarding the need to address the icy section on the lower part of Windham Hill Road discussed at the beginning of the meeting. Kord will draft a letter for signature by all members of the Selectboard.

Correspondence/Payroll/Bills

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

Adjournment

Motion: To adjourn the regular Selectboard meeting at 7:09 p.m.—moved by Maureen—all in favor.

Respectfully submitted,

Joyce Cumming
Selectboard Clerk

Attachments:

- VT Statute Title 24, Chapter 117, Subchapter 003 §4350
- VT Statute Title 24, Chapter 117, Subchapter 005 §4385
- Planning Commission Reporting Form for V.S.A. §4384
- Windham Region Broadband Kickoff Project Meeting details
- Town of Windham 2018 Long Term Paving Plan (Anticipated & Actual)
- Treasurer's Reconciliation Report: Retreatment FY to Date
- Treasurer's Reconciliation Report: Bridges & Culverts
- Quote on Guardrail Repair from VT Recreational Surfacing & Fencing
- Quote on Guardrail Repair from Lafayette Highway Specialty