

Windham VT Selectboard Meeting Minutes
April 6, 2020 Regular Meeting

Present via Zoom web conference:

Maureen Bell, Selectwoman
Kord Scott, Selectman
Bill Dunkel, Planning Commission
Tom Johnson, Energy Commission
Kathy Jungermann, Auditor

Peter Chamberlain, Selectman
Mike McLaine, Town Clerk
Joyce Cumming, Clerk
Louise Johnson, Meeting House Committee

Call to order

The meeting was called to order at 5:31 p.m.

Additions to Agenda/Announcements/Reminders

- Maureen reminded Kord to stop in at the Town Office to sign documents adopted or approved at the last meeting, i.e., Town Meeting minutes, Selectboard Rules of Procedure, Conflict of Interest Policy, etc.
- Maureen noted that the Broadband Survey received sufficient participation from residents to proceed to the next step.

Approve minutes of March 30, 2020 Special/Organizational Selectboard Meeting and April 2, 2020 Special Town Meeting

Motion: To approve the March 30, 2020 Special/Organizational Selectboard Meeting minutes as presented—moved by Maureen—all in favor.

Motion: To approve the April 2, 2020 Special Town Meeting minutes as presented—moved by Maureen—2-0-1—in favor: Peter, Maureen; abstention: Kord.

Public Comment

Bill Dunkel reported on communication with energy coordinators in Brattleboro and Rockingham re: possible interest in partnering with Windham on the Window Dressers program. He is trying to determine the number of participants needed to plan a community-build workshop and identify a mutually convenient location. Five residents signed up at Town Meeting. A suggestion was made to ask Ellen to send out an email blast. Kord suggested use of the Field House property as a possible location. Bill will report back as more information becomes available.

Correspondence

No correspondence was received.

Old Business:

Update on Special Town Meeting for 5-person Selectboard vote

Maureen reported that the Special Town Meeting on the vote for a 5-person Selectboard was held on April 2, 2020 with a minimum of voters in attendance for the purpose of adjourning the meeting to a date and time certain.

Mike McLaine served as Moderator and called the meeting to order at 6:00 p.m. A motion was made by Peter and seconded by Maureen to adjourn the meeting to September 15, 2020 at 6:00 p.m. in order to comply with the Governor's edict to limit the size of gatherings and maintain social distancing to prevent the spread of COVID-19.

Maureen honored a request from Antje to handle the Special School Board/Town Meeting scheduled for April 2, 2020 on the auditor's report in a similar manner. That issue was also adjourned to September 15, 2020 at 6:00 p.m.

1994 Road Ordinance Policy

At Peter's request, Mike McLaine emailed the 1994 Road Ordinance and 2015 amendment to members of the Selectboard and the Sheriff's Department for review. Peter noted the need for several corrections. Officer Lakin also provided some feedback. Maureen noted that attached to the ordinance was a warning for a Special Town Meeting scheduled for October 27, 1994 to vote on disapproving the Traffic Ordinance adopted by the Selectmen on August 11, 1994. No other documentation was available on the outcome of the October 27, 1994 Special Town Meeting. Brief discussion followed on whether to research further the issue of whether the Road Ordinance was disapproved in October 1994 or to proceed with review and revision toward adopting a new ordinance. Peter noted that the road ordinance was originally slated for discussion at the next Selectboard meeting to which Officer Lakin was to be invited. Peter suggested delaying further review until that time. Maureen apologized and agreed to include the topic on the agenda for the next regular Selectboard meeting on April 20. Kord will send Officer Lakin's contact information to Maureen so she may invite him to participate.

Roads

Robert Lakin's speed paved road experiment result

Kord noted that while the 1994 Ordinance provides for a town-wide speed limit of 40 mph unless otherwise posted, the section of Windham Hill Road in Townshend and Jamaica is posted at 35 mph. The elementary school zone is posted at 25 mph. Kord previously suggested posting all of Windham Hill Road, with the exception of the school zone, at 35 mph to coincide with the speed limit in Jamaica and Townshend. Officer Lakin conducted a speed/time experiment by traveling the stretch of Windham Hill Road from South Windham to Rt. 121 at speeds currently in effect, and then again reducing speed in the 40 mph sections to 35 mph and maintaining the 25 mph limit in the school zone. The impact on travel time was minimal (matter of seconds). Brief discussion followed on whether the limit in South Windham should be posted at 25 or 35 mph. The Windham Regional Commission conducted a traffic study in South Windham some time ago. Officer Lakin has noted that while enforcement is the key to controlling traffic speed, it is unreasonable to enforce speed limits strictly and ticket anyone exceeding the posted limit by a very minimal degree. On the other hand, some drivers tend to assume a greater margin for allowance over the limit and will travel at 50 in a 40 mph zone. Officer Lakin recently ticketed a driver for a speed of 63 mph on Rt. 121. Kord believes that the Selectboard has the authority to change speed limits on town roads by up to 5 mph; he reached out to VLCT to confirm the level of authority conferred to the Selectboard, and whether a traffic study is required, and if so, whether we can use the traffic study conducted last year.

Robert Lakin's request for 2nd home residents list so they can be checked for breaking and entering

Kord relayed this request from Robert Lakin for a list of second home owners. As a pro-active measure, the Sheriff's Department is willing to check on unoccupied properties to reduce the incidence of B&Es. Mike explained that the Town does not keep a list of second home owners. To his knowledge, the best source for this information is the Grand List as it shows who has filed for residency and who has not. Kord agreed this was a good place to start and asked Mike to send the Grand List information to the Sheriff's Department.

Nuisance animal ordinance (Joe Lamson/Kermit Woods/George Badgley/Walter Woodruff/Robert Lakin/Game Warden)

Kord requested discussion on whether the Selectboard wants to proceed with adopting a nuisance animal ordinance. Until now, nuisance animal issues have been handled neighbor-to-neighbor. Kord noted a number of calls received by Constable Joe Lamson regarding dog issues. Complaints have also been received about Kermit's peacocks roaming free and leaving messes at the Badgley and Woodruff residences. Kermit had previously promised to be diligent about controlling the ducks and peacocks, etc. and intended to construct an aviary enclosure, but to date the issue has not been resolved. Robert Lakin has spoken with Kermit on a few occasions but his authority is limited without a means of enforcement such as an ordinance. Kord has received a sample nuisance animal ordinance for consideration. Brief discussion followed on what constitutes a farm and whether farm status is based on income from agriculture. Peter related his understanding that farms are taxed at reduced rates, but in order to qualify as a farm, the owner must derive at least 50% of his/her income from the farm. Kord solicited Bill's opinion, as an adjacent property owner, on whether the Selectboard should proceed with adopting a nuisance animal ordinance. Bill replied that it wouldn't hurt to consider an ordinance, and while he has dealt with the issue neighbor-to-neighbor, he is also aware of complaints that Kermit's burro (alpaca/llama crossbreed) has grazed on lawns of neighboring property owners. Kord also reported on a conversation between Joe Lamson and the game warden re: a dog complaint in North Windham. If concerns continue to be voiced by residents, an ordinance may be considered for adoption. At Peter's request, Kord agreed to share the sample ordinance with the other Selectboard members. Kord also agreed to check with VLCT on this issue.

Vermont Local Roads message about grant and State worker activity during COVID crisis

Kord commented on information he receives from Vermont Local Roads via a list serve. With the exception of essential workers, State highway workers have been ordered to stay home. Grant-supported road projects have been discontinued until the Governor lifts the stay-home-order. While small towns like ours follow the State guidelines, Kord questioned whether our road crew can continue to perform their duties if they follow safety precautions such as hand-washing and maintaining social distance. Kord has discussed this with Richard, who in turn discussed it with Kurt, and they feel they are minimizing risks by each utilizing a specific piece of road equipment, wiping down surfaces, keeping social distance, use of hand sanitizer, etc. etc. Maureen noted that the Governor announced today that V-Trans employees are tasked with delivering Personal Protection Equipment around the State. Kord's contacts at V-Trans are currently working from home.

Road Erosion Inventory prep grant for Windham Regional Commission – invoice and reimbursement

Kord reported that this issue was resolved this week. As noted at the last meeting, Jeff Nugent (Windham Regional Commission) and Alan May (Better Roads program) have gone back and forth on the dating of the invoice received from the Windham Regional Commission. Per Kord, Kathy confirmed that as long as the work was completed by the December 31st deadline/grant expiration date, the invoice dated in February may be paid by the Town and is eligible for reimbursement.

V-Trans annual meeting/grant applications schedule (discuss SB calendar with Joyce again)

Kord confirmed that V-Trans is not scheduling in-person meetings due to COVID-19 concerns. He discussed grant applications with Megan and she requested that he send the Town's highway budget information to determine if we meet the threshold for emergency grant funding. Kord agreed to send Megan the information requested. Kord also noted the need to develop a system to share deadline information with the other Selectboard members. As an example, he cited the Structures Grant which is due by April 15th. This funding would be used to address the Chase Road culvert. Everett has been working on estimates for the project. Kord suggested keeping a generic Selectboard

calendar so that all Selectboard members are aware of important dates and deadlines. Maureen agreed to discuss with Vance the idea of a generic calendar for Selectboard use.

F550 update and discussion

In addition to options cited at the last meeting which are still under consideration, Kord wanted to solicit feedback from the other Selectboard members on the dealership question. He noted that the quote difference between Lebanon Ford and Stewart's is between \$400 and \$500, and asked whether it would be worthwhile paying the extra few hundred dollars for better service. He explained that two of the mechanics at Stewart's live in the area and are willing to bring the vehicle to the shop for service when needed. They do this for other towns in the area where a Town vehicle was purchased through the dealership. This will be reviewed again when the road crew has determined the desired vehicle options and pricing is available.

Payroll/Bills

Maureen noted that Kathy sent the check register and everything seems in order except for one vendor that Maureen questioned. Kathy was not available; Kord explained that the expense may be related to water testing but he isn't sure. Kord suggested holding off on that check until a satisfactory answer can be obtained. Maureen asked Kord to sign off on payroll and bills, except for the issue in question.

Note: in an effort to continue social distancing, anything requiring signatures from this meeting will be done individually by Selectboard members at the Town Office.

Adjournment

Motion: To adjourn the Regular Selectboard meeting at 6:30 p.m.—moved by Peter—all in favor.

Respectfully submitted,

Joyce Cumming
Selectboard Clerk