

Windham VT Selectboard Meeting Minutes  
September 21, 2020 Regular Meeting

Present via Zoom web conference:

Maureen Bell, Selectboard Chair  
Kord Scott, Selectman  
Dawn Bower, Various Commissions  
Tom Johnson, Energy Committee  
Pat McLaine  
Kathy Scott, Treasurer

Peter Chamberlain, Selectman  
Joyce Cumming, Selectboard Clerk  
Louise Johnson, Meeting House Committee  
Kathy Jungermann, Auditor  
Imme Maurath, Auditor  
Gail Wyman, Asst. Treasurer

**Call to order**

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

**Additions to Agenda/Announcements/Reminders**

There were no additions, announcements or reminders.

**Approve minutes of September 7, 2020 Regular Selectboard Meeting and September 15, 2020 Special Town Meeting**

Motion: To approve the minutes of the September 7, 2020 Regular Selectboard Meeting as submitted—moved by Maureen—all in favor.

Motion: To approve the minutes of the September 15, 2020 Special Town Meeting as submitted—moved by Maureen—all in favor.

**Public Comment**

There were no comments from the public.

**Correspondence**

Maureen noted the only correspondence received was an access permit from Drew and Karen Ameden. Kord has not reviewed it with Richard yet. Peter noted that the permit (date stamped received April 6, 2020) was discussed in the spring when it was decided that because Farr Lane is a private road, an access permit is not required. Maureen will check with Mike McLaine re: advising the Amedens that permits are not required for private roads.

**New Business:**

**New, Different Animal Complaints – Windham Hill Road**

Maureen reviewed a complaint regarding peacocks blocking Windham Hill Road near Meadows Bee Farm on two consecutive days last week. Maureen suggested advising residents that the Selectboard is in the process of instituting a Nuisance Animal Ordinance. Kord explained that in this instance, he forwarded the complaint to Beth McDonald so that she may discuss it with Leigh Merinoff. Kord restated his preference that neighbors communicate with one another on animal issues before filing complaints with the Town. Maureen remarked that she did that when the peacocks were in the road on a prior occasion, and Maureen mentioned it to Beth when she saw her shortly thereafter that instance.

## **Budgeting Process**

Maureen reported that she and Kathy Scott have discussed the schedule for review of department budgets. Kathy has not sent the schedule out to department heads yet due to a payroll issue earlier in the day. Kathy will get the schedule out to the department heads by Friday.

Maureen reported on a municipal budgeting webinar she participated in recently and shared a few interesting points she picked up including that the Selectboard should aim to keep a 17% reserve, roughly the equivalent of two months' operating expenses. She also noted that while Highway Account funds cannot be transferred to the General Fund, monies from the General Fund can be transferred to the Highway Account. Brattleboro's Town Manager gave a detailed presentation on budget development, which in their case, includes a 25-year projection process. It was also suggested that the Selectboard should have a list of "shovel-ready" projects to tackle if grant funding becomes available on short notice.

Kord conveyed discussion he had with Pete Newton about projects to be completed at the Meeting House and asked whether Pete or other members of the "Friends of the Meeting House" were involved in the Meeting House Committee meetings. Tom Johnson noted that Pete did attend one meeting. Kord suggested keeping Pete in the loop re: Meeting House Committee meetings.

Maureen noted that Ellen McDuffie will include another request for volunteers to serve on a Grant-Writing Committee in an upcoming issue of News & Notes.

Maureen also reported on an email she received from Russ Cumming, School Board member, requesting that the Town loan funds, interest-free, to the School Board periodically between July 1 and December 31 of each year as may be needed in order for the School Board to meet its financial obligations until receipt of the Education Spending Grant from the State. Maureen noted current and past practice whereby the Town Treasurer has written checks to the School without a formal request from the School Board for the money. Kathy Scott stated that Russ was not entirely accurate, and that funds are available to pay expenses for the current fiscal year. She noted that the Town has been receiving tax payments since mid-June. She is not sure how to come up with the loan amount. She estimated the amount to cover expenses from July 1 to October 31 (when taxes are due) at approximately \$75,000 to \$100,000. Maureen will forward the email she received from Russ to Kathy.

## **Old Business:**

### **LGER (Local Government Expense Reimbursement) Grant Update**

Maureen reported that the LGER grant request was approved up to a cap of \$3,300 (actual amount requested was \$2,300). The funds are for COVID-19 related expenses incurred from March through December. Maureen noted that of the \$12.5 million available in grant funding, requests were received for just \$7 million; therefore the deadline to apply for funding was extended to October 1, 2020.

Maureen noted that Mike McLaine applied on behalf of the Town for a separate digitization grant.

In response to a question from Kord, Maureen explained that the grant applies to municipal expenses; school expenses are separate. Discussion followed on additional expenses that might be eligible under the grant such as a Plexiglas shield at the Town Office, and whether funds could be requested for the Windham Fire Department to cover PPE equipment, training, etc. Mike McLaine explained that he would need to contact Jon Gordon about Fire Department needs. Maureen will check the parameters of the grant to determine what is included and whether she can apply on behalf of the Fire Department or whether the Fire Department needs to submit its own request. Mike doesn't feel that a Plexiglas shield is needed at the Town Office.

Brief discussion followed. Gail noted that Paul uses the school's vacuum cleaner to clean the Town Office every week. Maureen noted that \$300 was included in the original request for the purchase of a vacuum cleaner.

Imme inquired about expenses related to the November election; Mike responded that the Secretary of State's office has already provided hand sanitizer, gloves, wipes, masks, face shields, etc. and he doesn't anticipate the need for additional supplies for the election. Kord asked about the tents that have been used for voting outside the Meeting House. These were lent by Phil & Ellen McDuffie and Vance & Maureen Bell. Kord suggested the Town purchase its own tents using the grant money. Mike pointed out the issue with limited storage space at the Town Office. The storage space at the Meeting House is also chock-full.

Imme maintained that tents aren't needed, and instead proposed that voting at the November election be done inside the Meeting House, following a process similar to what is currently followed for Wednesday meal pick-up: residents enter through one door, pick-up meals, and leave through the other door. Mike explained that he had already planned to handle the November election in a similar fashion allowing one person at a time with one-way traffic flow for voters to enter, check-in, vote, check-out, and exit.

Brief discussion followed on whether the grant could be used to cover expenses associated with Town Office modifications to make it more COVID-compliant. Kathy suggested a barrier or shield to separate visitors working at the table or in the vault. Maureen will review the guidelines and parameters for the grant. Kord offered to put together a budget for the office modifications on short notice. Maureen will share the guidelines with Kord.

Dawn suggested the upstairs office space at the Meeting House as possible storage space.

#### **Hamilton Falls – update on residents' meeting with Ethan Phelps of Forest, Parks & Recreation**

Maureen noted that residents met with Ethan Phelps on Friday, September 18<sup>th</sup> to discuss the increase in visitors to the Falls and the possibility of eliminating parking for the Falls on West Windham Road, and permitting visitors to access the Falls only through Jamaica State Park. Maureen has not heard back from anyone regarding the meeting. Kord reported that Richard attended the meeting as a representative of the Town to discuss the impact of the increased traffic on roads leading to Hamilton Falls.

Following the meeting, Kord called Diane Newton for information. In addition to West Windham residents, representatives from the Jamaica Selectboard and Rescue, Inc. also attended the meeting on the 18th. Kord explained that Alison Trowbridge will write up and distribute minutes of the meeting. He also noted that since the summer season is winding down, Forest, Parks and Recreation will work on developing a plan for next year. He hopes to hear back from them in the next few months.

#### **Trooper B update – animal cruelty concern**

Kord explained that he emailed Trooper B but has not heard back. Last he knew, a representative from the Humane Society investigated the matter and issued a directive to the owner to have the cow treated for intestinal parasites. The deadline to address the issue was last week. Kord is not sure if it has been resolved. Maureen will keep the item on the agenda for follow-up at future meetings.

#### **The Meeting House:**

##### **Exit Signs installed**

Maureen noted that the new exit/emergency lighting repairs were completed as of last week.

## **Building Closed Without Authorization**

Maureen reported that the Meeting House Committee determined that the building should be closed to anyone without authorization to have a key. Those persons authorized to have access include the Meeting House Committee, Selectboard members, Library Trustees, and the Emergency Management Co-directors. Persons wishing to enter the building will need to contact a member of the Library Trustees or Meeting House Committee.

Kord mentioned discussion he had with Pete Newton about the not-for-profit status of the Friends of the Meeting House. Atty. Fisher filed to get the Friends' 501(c)3 status reinstated. The initial application was rejected because it was based on a request to get 501(c)3 status reinstated retroactively to the date of expiration. Pete doesn't feel that retroactive reinstatement is necessary, and he agreed to move forward with a new effective date. Kord expects to receive word re: approval of 501(c)3 status in the near future.

Kord reported that Pete also has a number of projects planned at the Meeting House such as replacing the doors. He intends to fabricate historically-appropriate doors over the winter months. The Friends of the Meeting House has funds to cover the expense of some of the projects.

Kord also noted that PACIF is in the process of scheduling a representative (appraiser or insurance adjuster) to visit the building to inspect it for insurance purposes. When Kord hears back regarding the date and time for the inspection, he would like to include Pete Newton and a representative of the Meeting House Committee.

Kord noted that some of the projects such as the doors and the deck are not complicated; he will report back when he has more information. Louise noted that the next meeting of the Meeting House Committee is scheduled for October 1, 2020.

## **Roads:**

### **Harrington Road Bridge Repair Update**

Kord reported that a permit has been issued for stream alteration. He does not have a date for commencement of the bridge repair.

### **Salt Shed Repair Update**

Kord reported that requests were sent out for quotes on sand, with a proviso that the Town cannot accept large quantities and will need more frequent deliveries. Kord has not yet identified sources for grant funding to assist with the cost of repairs to the salt shed.

### **REI (Road Erosion Inventory) work update**

Kord explained that the first phase of the recommended work has been completed. This included Burbee Pond, Abbot Road, Wheeler Road, and Woodburn Road. Jeff Nugent of the Windham Regional Commission will come out to review the scope of work for the next phase. In the meantime, the Town can file for reimbursement of costs incurred in Phase 1. Brief discussion followed on two maps Kord sent out to the Selectboard members which did not include the entire scope of the REI. Kord noted that the map showing all the necessary repairs marked in red is on the wall in the Town garage. Richard and Kord are familiar with what needs to be done and are focused toward pushing REI projects to the top of the list.

## **550 Update**

Kord stated that the 550 was returned to Iroquois last week for follow-up on some issues. The work should be done this week and the truck should be returned at the end of the week or next week. One of the items to be addressed is the back-up camera which is a DOT/PACIF requirement. Kord noted that the camera on the tailgate sander spinner at the back of the truck allows the driver to see the salt being dispensed but the angle is not wide enough to serve as a back-up camera. A second camera will be installed at additional charge. Kord said that most of the work will be done at no charge, and any additional costs are still within the budgeted amount.

## **Rt. 121 Culvert Grant Update, if any**

Kord explained that the next step in the process is to hire a Municipal Project Manager (MPM). Kord has been in touch with Peter Pochop, Project Manager at V-Trans who provided information from the Municipal Assistance Bureau (MAB) guidebook. Per the MAB guidebook, a Municipal Project Manager may be selected from qualified municipal employees, a regional planning commission, or procured utilizing non-construction procurement procedures (competitive bidding). Based on this, Kord contacted Jeff Nugent at the Windham Regional Commission who referred him to Chris Campany, Executive Director of WRC.

Chris Campany reviewed the grant proposal and the agreement with V-Trans to familiarize himself with the project particulars, and is willing to assign Margo Ghia as the MPM. The grant allows \$35,000 for MPM services. WRC must complete a form regarding staff qualifications, get Town approval, and then State approval. Kord stressed with Chris the importance of keeping within the grant budget. Kord reported that Chris feels comfortable that they can stay within the budget. A Town match of 20% of the total project cost is required (\$100K based on \$500K project).

Motion: To hire the Windham Regional Commission to serve as the Municipal Project Manager for the Rt. 121 culvert grant project—moved by Kord, seconded by Peter—all in favor.

## **Driveway Culvert Policy**

Maureen shared driveway culvert policy information from Londonderry, Grafton and Andover. These towns leave the financial responsibility with the property owner. Kord will print the policies and share the information with Richard.

Kord asked how payment would be handled if the Town found it necessary to repair a driveway culvert. Would the property owner be back-charged or would the amount be added to the tax bill? This will need to be reviewed further. Maureen noted that in Jamaica, the Town maintains responsibility for cleaning and replacing culverts. Townshend does not have a policy. Maureen agreed to keep this item on the agenda for further discussion.

Prior to participants leaving the Zoom platform, Kord asked Dawn if she noted any improvement to the nuisance animal situation on Burbee Pond Road. Kord travels that road twice a day driving the school bus and feels that the animal owners are focusing more attention on containing the animals. Dawn noted that about a dozen baby ducks were in the road recently and that the dogs regularly frequent her property 3 or 4 times per week and leave feces in her yard. Brief discussion followed re: the leash law component of the Vicious Dog Ordinance. Maureen offered to try to contact the owners again, though her last call went unanswered. Dawn asked whether the dumpster was allowed to sit there permanently. Maureen was not aware of anything that would prohibit it.

### **Payroll/Bills**

Maureen noted that Kathy Scott added a few additional invoices today. Both Kord and Peter were in agreement with the list of payroll and bills.

Motion: To authorize Kord Scott to sign off on payroll and bills presented for this meeting—moved by Maureen—all in favor.

### **Adjournment**

Motion: To adjourn the regular meeting at 6:43 p.m.—moved by Peter—all in favor.

Respectfully submitted,

Joyce Cumming  
Selectboard Clerk

DRAFT