

Windham VT Selectboard Meeting Minutes
October 19, 2020 Regular Meeting

Present via Zoom web conference:

Maureen Bell, Selectboard Chair	Peter Chamberlain, Selectman
Kord Scott, Selectman	Joyce Cumming, Selectboard Clerk
Dawn Bower, Various Commissions	Esther Fishman, Londonderry Solid Waste Group
Louise Johnson, Meeting House Committee	Tom Johnson, Energy Committee
Mike McLaine, Town Clerk	Pat McLaine
Barbara Jean Quinn	Carolyn Rubin
Kathy Scott, Treasurer	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 to the agenda. Maureen shared a few announcements/reminders:

- A request was received to adhere to the agenda as much as possible.
- Esther Fishman has been invited to the meeting but she may be late so the agenda sequence may need revision.
- Maureen reminded everyone to vote in the November general election.
- Carolyn Partridge is recuperating from a medical procedure and well wishes go out for a speedy recovery.

Approve minutes of October 5, 2020 Regular Selectboard Meeting

Kathy Scott noted the need for a correction to include \$12 for the Abbot Fund in the 2021 budget request for Appropriations which was omitted from the minutes. Kathy said that this is a required annual amount to be paid into the investment fund.

Motion: To approve the minutes of the October 5, 2020 Regular Selectboard Meeting with a correction as noted—moved by Maureen—all in favor.

Public Comment

There were no comments from the public.

Correspondence

Kord noted that an acknowledgement was received regarding the letter of intent submitted for next year's Municipal Roads Grants-in-aid Program (MRGP).

New Business:

Appoint Members to the Social Services Committee

Maureen noted that Peter Chamberlain has been chairing this Committee. The list of proposed members includes Tom Widger, Marcia Clinton, Peter Chamberlain, Skip Raymond and Barbara-Jean Quinn.

Motion: To appoint Peter Chamberlain, Marcia Clinton, Skip Raymond, Barbara-Jean Quinn and Tom Widger to the Social Services Committee for a 1-year term—moved by Maureen—all in favor.

Maureen suggested that she sign the appointment letters and leave them at the Town Office for the other members to sign. Kord suggested that Maureen sign the letters on behalf of the entire Selectboard.

Motion: To authorize Maureen to sign the appointment letters for the Social Services Committee on behalf of the entire Selectboard—moved by Kord, seconded by Peter—all in favor.

Presentation/Correspondence about Hamilton Falls – compiled by Alison Trowbridge

Maureen shared her screen and the notebook of information compiled by Alison Trowbridge re: issues at Hamilton Falls including overcrowding, unauthorized parking, disrespect, and trash left by visitors. The information included the long-term plan for Hamilton Falls prepared by the Department of Forests, Parks and Recreation, letters written to FP&R citing the concerns raised by residents, photos documenting the problems, and minutes of the September 18 on-site meeting. Maureen noted that the Sheriff's Dept. patrolled the area this summer, enforced the parking restrictions, and redirected overflow visitors to the main entrance of Jamaica State Park. Maureen will make the book available at the Town Office if anyone wants to review it. It will also be posted online.

Solid Waste Implementation Plan – Esther Fishman presents

Esther had not yet joined the meeting on Zoom and Maureen agreed to go back to the Solid Waste Implementation Plan when Esther joins the meeting.

2021 Budgeting process – Listers, Zoning, Planning

Listers:

Alison Cummings was not in attendance to present the Listers budget request for 2021. Kathy Scott asked about an invoice received for Apex Software which Kathy thought was not renewed. Kathy said she emailed Alison but hasn't heard back. She needs to know whether the invoice should be paid or not. Kathy confirmed that she was using the correct email for Alison. She will forward the inquiry to Russ and/or Meredith.

Kathy suggested a slight increase for Appraisal. Kathy reported that no money has been spent so far this year on Education and Seminars or Legal Services. (Likewise, nothing was spent for tax map maintenance) Kathy suggested that the Listers budget be cut by half because there hasn't been much going on. Kathy will send her suggestion to Alison for feedback. Maureen noted that the departments can contact the vendors to determine budgeting needs. This account will be re-visited.

Zoning:

Kathy noted income of \$1,235 received through fees in the Zoning account. Kathy suggested not funding Zoning and allowing the account to be self-funded through income received. To date, \$550 has been expended of the \$907 budget approved for 2020. Kord asked where the income shows up in the accounting (it was not reflected in the spreadsheet). Kathy noted that it appears in the Zoning System Report and agreed to include it in the spreadsheet. Kathy stated that Zoning is \$685 in the black (this does not include the \$907 approved at Town Meeting.) Maureen asked Kathy to contact the Department head to discuss the proposal for self-funding.

Planning Commission:

Bill Dunkel was not in attendance but he sent information relative to the Planning Commission's budget request prior to the meeting. He requested level funding all line items at the same level as last year with the exception of Education & Seminars where he would like an additional \$100. Bill thought the total P.C. budget approved last year was either \$7,817 or \$7,617. Bill is requesting a total department budget of \$7,817 for 2021. If a reduction is necessary, he suggested perhaps reducing the amount for Consulting and Legal services.

Last year, the Planning Commission requested a total of \$10,106 but only received \$7,318. All line items except Mileage were funded at less than requested for 2020. The amount requested for Education & Seminars was \$600 but only \$400 was allocated. Maureen agreed to the request to fund Education & Seminars at \$500 for 2021.

To date, expenses across line items represent \$3,888 of the total department budget of \$7,318. Kathy noted that no expenses were incurred in several line items including Consulting Services, Education & Seminars, Mileage, and Printing and Copying. Only \$120 of the \$2,000 allocated for Legal Services has been spent. When asked, Tom Johnson explained that a considerable amount of legal consultation time was required in updating the Town Plan, Zoning regulations and the Energy plan. These expenses have likely not yet been billed. The preference for timelier legal invoicing was discussed at the last meeting. A suggestion was made to level fund Legal Services for now. Kord will follow up with Bob Fisher on the billing cycle issue.

Brief discussion followed on the Appropriations budget reviewed at the last meeting and Kathy provided an update on County Taxes which will increase next year based on the population increase; the amount of the increase won't be known until December. Maureen heard from Imme and noted that the cost of Town reports will also increase slightly next year.

Solid Waste Implementation Plan – Esther Fishman presents

Esther Fishman joined the meeting at 5:57 p.m. and introduced herself as the manager and recycling coordinator for the Londonderry Solid Waste Group (LSWG) of which Windham is a member along with Landgrove, Londonderry, Peru, and Weston. Esther explained that the transfer station is in the end-stages of the recertification process. LSWG has contracted with Tam Waste Management which was recently purchased by Casella. The current contract will expire in July 2021 and costs are expected to increase due to less choice and a bad recycling market. Kord inquired as to when the increase would become effective; Esther replied that new fees would become effective in January 2022. In response to a question from Maureen re: contractors other than Casella, Esther explained that she had reached out to a few others recently including Alba Waste, Able Waste Management and Twin State Waste Management. Waste Management is not an option as they won't handle recycling. RFPs will go out in the spring.

The Solid Waste Implementation Plan (SWIP) must be updated every 5 years. The SWIP has been pre-approved and the next step requires each town to sign off on it after two public hearings to allow for comments.

The general section of the plan covers disposal and diversion reporting requirements, posting and publicizing the SWIP, an A-Z waste & recycling guide, variable rate pricing and solid waste hauling services. Variable rate pricing is based on volume since the transfer station does not have a scale.

The plan also includes requirements for outreach to area schools including Windham Elementary School, Flood Brook, and the Mountain School. Outreach is also required to businesses in all member towns. (Audio problems were encountered at this point—approx. 6:05 p.m. Maureen asked all participants except the speaker to mute their microphones. The echo persisted. Thinking the problem might be at her end, Esther offered to disconnect and log back on. Kord suggested she continue in spite of the echo).

Esther explained that two Hazardous Household Waste collections are held each year, one in the spring and one in the fall. Composting and food pantries were also discussed. Food pantries are located in Londonderry, Manchester, Winhall, and at Stratton Mountain. Textiles such as used clothing are accepted at the transfer station. Prior to the pandemic, the Thrifty Attic accepted and resold textiles but is not currently accepting any donations. Leaf, yard and clean wood debris are also accepted at the transfer station. There is no outlet currently for asphalt shingle collection or clean drywall recycling. Septic waste is processed in Westminster. (Due to the persistent audio problem, Maureen asked Esther to try disconnecting and re-joining. Esther left the meeting briefly at 6:10 p.m. The echo was heard even when Esther was not participating.)

Esther re-joined the meeting and explained that the plan must also comply with the Regional Commission's plan. If the Selectboard decides to approve the SWIP, the signed signature page should be returned to her along with a copy of the meeting minutes. Before leaving the meeting at 6:15 p.m., Esther asked if anyone had questions or comments. There were no questions or comments.

(Kord located the source of the echo and Maureen was able to mute that participant's microphone. Problem solved.) Discussion followed on plan approval. Peter moved to approve the plan. Joyce thought two meetings were required prior to approval based on the email from Esther asking the Selectboard to include the topic on its next two meeting agendas. Maureen will contact Esther for clarification of the approval process. No vote was taken.

Old Business:

LGER (Local Government Expense Reimbursement) Grant additional expense submission

Maureen noted that the original grant request was for \$2,300 which was approved. The deadline date was extended and a request was submitted by Maureen for \$7,000 in additional funding. If approved \$5,000 would go toward repair of the ventilation system at the Town Office and \$2,000 would be used to reconfigure the Town Office. Maureen will report back when she gets word re: whether the additional expenses are approved. Peter announced that Jeffers submitted a bill for the diagnosis of the ventilation system problem. The quote from Jeffers for the repair has not yet been received.

Reimburse the Veterans' Memorial Committee for lost expenses with a plan from the Treasurer

Kathy Scott suggested alternate options to reimburse the community members for lost money totaling \$3,789. One option would be to use interest income earned over the past many years on-hand in the general fund. Another option would be to use surplus money to the extent available at year-end. Kathy noted that money could also be gifted to the Veterans' Memorial Committee through Social Services. Brief discussion followed regarding the Town covering half the amount and requesting matching funds from the community. Peter was amenable to any of the options though he noted that surplus money would be an unknown until year-end. Using Social Services funds would also require waiting until next year. It was agreed that interest money would make the most sense.

Motion: To use approx. \$3,800 from interest accrued to reimburse community members for funds lost to a vendor for the Veterans' Memorial plaque—moved by Kord, seconded by Peter—all in favor.

Animal Cruelty Concern – getting the press involved?

Maureen solicited feedback on involving a news reporter to get results in the animal cruelty complaint. Kord explained that Trooper B has not responded to his follow-up inquiries. Maureen received a suggestion from a community member who felt that involving the media might lead to results. Maureen shared a note she drafted but has not sent to the press. No one is sure whether one or two calves are affected.

Kathy shared her opinion that the owners are irresponsible and expressed an additional concern re: a child who will be entering that household this winter. She alluded to an issue that occurred many years ago re: child neglect.

Brief discussion followed on whether the Selectboard should get involved. A suggestion was made to have the community member contact the press directly. It was decided to run the issue by the Town attorney before proceeding. Maureen will contact Bob Fisher. Kord offered to contact the barracks Trooper B works from and try to make contact.

In the course of the discussion, Maureen realized an error in the draft letter. The State Police contacted the Humane Society, not vice-versa. Maureen will hold off sending the letter for now.

The Meeting House:

Elevator update

Kord met the repair man at the Meeting House last week to grant access for replacement of the batteries in the elevator. Kord did not stay until the work was complete but assumes the work is finished.

Veterans' Memorial Garden site prep/Lilac removal

Kord offered an update on the status of the Veterans' Memorial at the Meeting House. Stones were picked up and delivered to the site. Plans were to remove two lilac shrubs, but only one needed to be removed; the other will stay as its current location.

Kord expressed an interest in planting the orphan lilac at his home. He explained that years ago there was an old lilac on his family's property. As a young man, Kord suspected the lilac was causing his allergies so he hacked it down repeatedly until it died. Afterwards, he learned it was an ancient lilac that was part of a nursery at the site, and he felt remorseful for having destroyed it. He would like to transplant the orphan lilac on his property to assuage his guilt. Peter expressed appreciation for Kord's interest in saving a lilac that was destined to die, and suggested that he plant it at the same location where the ancient lilac once stood. Members of the Veterans' Memorial Committee were also pleased that Kord had an interest in re-planting it. Maureen asked about whether his allergies had improved over the years; Kord agreed to put up with any allergy symptoms that the lilac might cause.

Roads:

Sand bids – discussion

In the interest of full disclosure, Kord explained that he received two of the quotes via email (Hunter Excavation and Hill Construction) although the bids should have been submitted in sealed envelopes and opened at the meeting per the Town's purchasing policy. He noted that it was difficult to find vendors for sand this year. He assured the Selectboard that only he and Richard had seen the bids from Hunter Excavation and Hill Construction and that no discussion was held with either bidder. Maureen and Peter did not feel it necessary to void the bid process and start over. A third bid was received in a sealed envelope from Eastman Sand & Gravel which Kord opened during the meeting.

Kord explained that Richard has seen samples of the sand from all three vendors and his preference would be the product from Hunter Excavation. Kord reviewed the issue last year where the sand did not have enough aggregate.

The bids were read aloud as follows:

- Hill Construction bid \$13.50/yard if picked up; and \$16.50/yard delivered thru October 31. The price increases to \$17.50/yard delivered after December 1. Maureen asked about the pricing between October 31 and December 1. The bid did not specify that information.
- Hunter Excavation bid \$18.00/yard.
- Eastman Sand & Gravel bid \$15.20/yard delivered and \$11.00/yard if picked up. This includes ¾" crushed gravel as added last year. This pricing is also the same as last year.

Brief discussion followed on the plan to store the sand outside and the hope that sand with a more fine-gravel-like texture wouldn't freeze as much. Kord will go over the pricing with Richard and request a special meeting if necessary to award the bid. Kord noted that the budget was based on 2000 yards per year.

Peter asked Kord if Richard was satisfied with the product Eastman provided last year including the added material. Kord responded that it got us through the season but there is better sand out there. Richard preferred the product from Hunter or Hill. Hopefully, better quality will reduce the quantity needed. Kord agreed to include Richard at the next meeting for discussion re: sand bids. Brief discussion followed regarding the possible need for a special meeting to take advantage of the pricing available through the end of the month from Hill. Maureen will warn the meeting as required.

Municipal Roads Grants-in-aid Program (MRGP) reimbursement review

Kord expressed appreciation to Kathy and Gail for their work in putting together the MRGP reimbursement. He noted that \$7,569 was spent on materials, \$3,946 on labor, and \$6,150 on equipment time. Of the requested total amount of \$17,665.92, the town will be reimbursed \$9,390. The reimbursement covers the out-of-pocket costs for materials, \$7,569, and a little more. The labor expense was absorbed through payroll.

Farace auto damage insurance claim review

Kord explained that Teresa Farace's car was damaged while driving through a fairly deep culvert in South Windham during the culvert replacement project. The road crew had dug out the gravel at the culvert by a few inches and installed an asphalt cold patch ramp on both sides of the trench. Her car entered the trenched area fine but the front bumper which was fairly low to the ground got hung up when she exited the dip. Kord noted that the incident was no one's fault, the area was marked and flagged, she was not driving too fast, and it was just an unfortunate circumstance. An agent from PACIF spoke with Richard, Kurt and Teresa. After correcting the paperwork, the amount of the claim was \$1,079.

Road Crew – Oct/Nov Performance Review prep

Kord noted that the road crew is due for annual performance reviews this month or next. He suggested adhering to the procedure used in the past which included a self-evaluation and a supervisor evaluation, and then comparing the results. Richard will review Kurt, and Kord will review Richard. Kord will send the evaluation format to Maureen and Peter for review.

REI (Road Erosion Inventory) work update

Kord reported that no other work was conducted other than what was requested. The work is complete and the reimbursement request was submitted.

Payroll/Bills

Maureen noted that Kathy sent an adjusted list with additions earlier in the day. No one had questions re: the payroll and bills.

Motion: To approve the payroll and bills and 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 7:00 p.m.—moved by Maureen—all in favor.

Respectfully submitted,

Joyce Cumming
Selectboard Clerk

Attachments:

- Solid Waste Implementation Plan & Approval Process