Windham VT Selectboard Meeting Minutes

June 7, 2021 Regular Meeting

Present via Zoom:

Maureen Bell, Selectboard Chair Kord Scott, Selectman

George Dutton, Selectman

Mark Anderson, Windham County Sheriff Vance Bell, various positions

Dawn Bower, various positions Marcia Clinton, CAC

George Heslin Louise Johnson, Town MHC

Tom Johnson, various positions Kathy Jungermann, various positions

Barb Lettenberger Lew Lettenberger

Mike McLaine, Town Clerk Pat McLaine, Auditor

Imme Maurath, various positions Stephan Maurath

Kathy Scott, Treasurer Eileen Widger, Library Trustee

Tom Widger, Town Meeting House Committee Gail Wyman, Assistant Treasurer

**Call to Order:**

Maureen announced the meeting and called it to order at 5:31 PM

**Additions to Agenda/Announcements/Reminders**

Maureen noted that the Windham Regional Commission will be holding hearings for their plan next Monday. Maureen, Bill Dunkel and the website have information if anyone is interested in attending.

**Act on minutes from April 5 regular Selectboard Meeting**

Maureen explained that the Board had a quick, emergency meeting to decide on a liquor permit for a private event that happened before this meeting.

Motion: To accept the minutes of the May 17 regular Selectboard Meeting – moved by Maureen. All voted in favor.

Motion: To accept the minutes of the May 25 emergency Selectboard Meeting – moved by Maureen. Maureen and Kord who were present at the meeting voted in favor.

**Public Comment**

Dawn asked about permitting for trailers parked on private property. She thought there were limits as to how long a trailer could be occupied as a residence. She said she is referring to a trailer being parked at a house for about a month now. George questioned if a permit was required. Kord suggested Dawn speak with Ali Cummings, the Zoning Administrator. Dawn also noted that a resident is burning, presumably without a permit. When she was instructed to speak with Fire Warden Rick Weitzel, she said she did, but nothing has been done.

**Correspondence**

None was received.

**Old Business:**

**Complaint about dogs on White Road**

George Heslin said the situation with dogs roaming free by him has been going on for 8 months and the problem is getting worse. He wants to know where the Town is regarding solving this problem. Maureen responded that the Nuisance Animal Ordinance addresses this and that we’ve been working with the Sheriff’s office to issue tickets. So far, five tickets have been issued to the party being complained about. The goal is to have compliance. To date, Kord does not know that the fines have been paid.

At this point, Sheriff Mark Anderson was introduced and asked to speak. He said he is aware that his office is helping to support the Town with this issue. Municipal violations have a period of 21 days by which they must be answered. After that, they will be followed through with the Courts, which can take 2-3 months.

The complainant noted that the owner of the dog has made threats to people coming on to his property. Maureen indicated that she thinks the presence of the Sheriff will make a difference. George D. said he would like to research the ordinance and respond. George H. said that he put in a fenced-in yard so his own dogs can run. He said that when he and his family come to the house, they have difficulty getting into their home before Zoey, the German shepherd, comes running to them. And now she brings a puppy with and her shows her protective nature toward it. He asked the Board how many incidents were acceptable since this has been going on for 8 months and he can no longer enjoy his own property. Feels he cannot sell the property either, without disclosing the problem to a potential buyer.

Sheriff Anderson indicated that Title 20, section 3806 allows for at-large animals to be impounded. While his department has legal control, they are not professional animal controllers. The Sheriff’s department has been aware of animal issues and lack of control, not just in our Town, but others, for the last 8 years. It has been difficult to address, due to varying ordinances in towns. They have tentatively hired an expert in this field who is a veterinary technician and who has also already worked as an Animal Control Officer. She will be working part-time for 4 towns beginning July 1. Until this agreement is in place, due to insurance issues, they cannot take this responsibility. But they are able, as they have already been doing, under the Town’s ordinance, to issue tickets. In defense of the Town, the Sheriff said that having the legal authority (the Nuisance Animal Ordinance) is different than having the physical ability to deal with this. The goal of this program is to provide you with peace of mind and to not have to deal with an at-large or vicious animal.

George H. indicated that he is concerned that his rights are being violated. He also mentioned that other neighbors are similarly afraid to go out, even to get their mail. He said that 20-40 incidents occurred in the last 8 months.

Maureen indicated that the Town is taking this very seriously and that we voted to start the program with the Sheriff’s department on July 1. Based on the concerns brought up, the Sheriff said that they could take custody of the dog and board it at an animal shelter, if the Town has a relationship in place.

Imme Maurath asked how someone can take control of animals. The Sheriff said that they have have-a-heart traps and pole snares. George H. then went on to say that he was glad the Town is taking this seriously.

The Sheriff described the upcoming program and its development which arose out of Towns’ frustrations in dealing with these problems.

Maureen asked Sheriff Anderson how his department and the Town should work together. He responded that the Memo of Understanding (MOU) is being developed by their attorney for the Towns of Newfane, Westminster, Putney and Windham. The MOU should be drafted in time for the next SB meeting. Until then, nothing needs to be done.

Barbara Lettenberger said she appreciates the efforts. She recounted an incident that went unreported in which a group of people were attacked by a pitbull and Zoey. If her husband hadn’t beaten the dog off, there might have been serious injury. Her brother is not comfortable bringing dogs to his home because of a previous attack by Zoey and the pitbull.

Maureen asked George D. if he had any questions, since he expressed concern about this program. He said his questions about the cost of the program had been addressed.

Kord thanked the Sheriff for setting up the program and feels it will be helpful in dealing with these issues in the future. The Sheriff hopes to expand the program to all the towns in the County. Lew Lettenberger asked for specifics as to what George H. should do when he arrives on July 2 and finds a problem. The Sheriff indicated that unless someone is being attacked (911 should be called), his office is the place to call. In fact, George should call him directly at 802.365.4942 so the Animal Control Officer can plan to be available when George arrives at his house.

**The Meeting House:**

Maureen indicated that a cleaning crew, comprised of Imme, Kathy Jungermann and Louise Johnson were in the process of cleaning out the building. They have been using their own supplies and we should get them replaced. Maureen thanked the crew and will have a look at the budget to see what’s available to them. Tom Widger suggested setting up a separate account, but Kathy Scott instead said they should go through the Town Clerk’s office, use the Town credit card or order supplies at Londonderry Hardware where we have an account. Kathy S. will send information to the Town Meeting House Committee and Maureen will share the budget with Tom.

Tom indicated that $600 in donation had been made to The Meeting House in Hal Wilkins’ memory and wanted confirmation that this money is accounted for in addition to the Town’s budget. Yes, it is. Imme asked how we account for money coming in for The Meeting House and Kathy S. said that the Treasurer captures every expenditure and every source of income. At the end of June that information for Q1 and Q2 will be made available to all Department and Committee Chairs. Imme asked that the Auditors also get sent this information; Kathy S. agreed.

**Roads:**

**Sign paving grant paperwork**

Kord will sign the $175,000 VTrans paving grant that can be used with our current paving project on Windham Hill Road. It is an 80/20 grant and based on the cost of the project we should be able to get full reimbursement. If the project runs underbudget, we would not get the full amount, but Kord figured that 80% of the project is $174,400. Kord thanked Mark Pickering of VTrans for his help and support of the Town.

**Roadside mowing**

The contract is signed and the equipment is reserved. Mowing will be done the last 2 weeks of July. Richard Paré (Road Foreman) spoke with Alison Trowbridge (Conservation Commission) regarding when to cut the Chervil and Poison Parsnip. They do not think that pre-mowing for those invasives is worth the expense. Windham budgets for one mowing per year. Costs are expected to be less for the rental than for a subcontractor.

**Update on paving Windham Hill Road**

Bazin Brothers is wrapping up the paving shortly. They will be back later to do the shoulder work. Mark Pickering came out to look at the culvert near the Town Garage. There are significant issues. This is an old stone culvert. Some repairs have already been done, but the culvert is failing. Per Everett Hammond and Randy Rhoades (engineers), this needs to be monitored; they set up a program with Richard, who will look at points of inspection on a quarterly basis to determine if there are any significant changes. A watershed analysis to determine the correct size of the structure will have to take place. It may take another 5 years to put financing in place for this project.

**Salt Shed**

There are foundation issues that were previously noticed when the fuel tank enclosure was pushing the wooden structure. Foundation walls, especially on the far side of the shed have moved and cracked. Several people have looked at it and recommendations were about reinforcement. A structural engineer completed an evaluation and determined that the footings are too small. All the options are very expensive ($150-200,000) and the Town is looking for funding resources.

Sand was stored outside last year; Richard is happy with the way that turned out. When the sand was in the shed, it faced north and never got any heat or dried out. The Salt Shed now also houses equipment and tools; but the roof is leaking and needs to be repaired; we will get a quote for that. The gussets also need to be replaced. We got a quote from Pete Newton to replace the diagonal braces (2x8x12) – 60 pieces @$6500. We have money in the Building Maintenance account to take care of this.

Motion: To authorize Pete Newton to replace the braces for $6500. Moved by Maureen. All voted in favor.

Vance had a question regarding the Town truck bringing in a load of fill today. Kord explained that the Crew has opened up the “fuel tank side” of the building to make the chloride tanks in the back of the Shed easily accessible. They needed Sur-Pak to stabilize that area.

**Payroll and Bills:**

Motion: To approve payroll and bills presented and authorize Kord to sign off on same – moved by Maureen. All voted in favor.

George D. asked if the Town could help remove and dispose of the concrete that is part of the playground at the School. It was suggested that he coordinate this activity with Richard.

**Adjournment:**

Motion: To adjourn the Selectboard meeting at 7:21 PM – moved by George. All voted in favor.

Respectfully submitted,

Maureen Bell

Acting Selectboard Clerk (with a super, great, big assist from Pat McLaine)