

Windham VT Selectboard Meeting Minutes  
July 5, 2021 Regular Meeting

**In Person:**

Maureen Bell, Selectboard Chair  
Kord Scott, Selectboard  
Dawn Bower, various positions  
Ron Cohen  
Louise Johnson, Town MHC  
Tom Johnson, various positions  
Kathy Jungermann, various positions  
Kathy Scott, Treasurer  
Carrie Tintle

**Via Zoom:**

George Dutton, Selectman  
Bridgette Blanchard  
Marcia Clinton, various positions  
Bridget Corby  
Crystal Corriveau  
Bill Dunkel, various positions  
Barbara Lettenberger  
Lew Lettenberger  
Mike McLaine, Town Clerk  
Michael Simonds, Energy Committee  
Eileen Widger, various positions  
Tom Widger, Meeting House Committee  
Gail Wyman, Assistant Treasurer

**Call to Order:**

Maureen announced the meeting and called it to order at 5:30 PM

**Additions to Agenda/Announcements/Reminders**

Kord has 2 Highway-related grants that came in. Will add to the end of the roads discussion.

**Act on minutes from June 7 regular Selectboard Meeting**

Motion: To accept the minutes of the June 21 regular Selectboard Meeting – moved by Maureen. All voted in favor.

**Public Comment**

Bill Dunkel reminded us about the Window Dressers storm window inserts. Please contact anyone on the Energy Committee to let them know if you're interested in getting these. They would like more homeowners to participate. Also, we need at least 2 more people, ideally a man and a woman, to volunteer to measure windows. Again, please let the Energy Committee know if there is interest.

**Correspondence**

There was none.

**New Business:**

**Michael Simonds' solar project – asking for Town's preferred site status**

Michael gave an overview of his solar project, Turkey Mountain Solar Garden, located at his property at 1275 Old Cheney Road. (See attached for his written statement.) Michael is asking for the Town to give his project a letter of support by way of giving it a "preferred site" status.

Maureen wanted to clarify the size of the project which Michael refers to as 150kW. The Windham Regional Commission (WRC), which is having a meeting about it tomorrow, lists it as 92.7kW on their agenda. Michael was unaware of this but thinks it must have something to do with the Utility (Green Mountain Power). He says that a project up to 150kW is relatively straight forward. He should be able to figure this out at the WRC meeting tomorrow. Kord asked exactly what "preferred status" means. It means that the developer has the support of

the Town, rather than them forcing the issue on the Town. As a result, the developer gets greater reimbursement for the project.

Ron Cohen asked if there is a minimum size to a project. Technically, no, there is no bottom limit. In fact, several years ago Michael built a 4.8kW project. Ron might be interested in a project. We will connect him with Michael/Bill from the Energy Committee.

Motion: Write a letter of support of this project as a "preferred site" to the Public Utility Commission – moved by Maureen. All voted in favor.

Bill added that this helps the Town reach our goals for renewable energy targets too!

### **Petition for School Choice**

Just to acknowledge that the Selectboard received a petition that has been validated, asking: Shall the Town of Windham move to School Choice for the grades K-6<sup>th</sup>. Maureen is unsure what we do with this, as she thinks it is a School Board issue. She has spoken with the Vermont League of Cities and Towns (VLCT) and the Secretary of State's office. They have suggested we speak with the Agency of Education, which Beth McDonald, the chair of the School Board is doing. As yet, there is no answer, but we have plenty of time. The petition asks that we hold a Special Meeting within 60 days. According to the Statute, we only have to warn the meeting in that time frame.

Kord thinks it's a School Board issue as well and suggests we wait to hear what the experts say.

### **Adopt a policy about speaking with the Town Attorney**

In light of past experiences and some costly legal bills, Maureen would like to consider a policy in which we define who speaks with the Attorney (Bob Fisher), for what issues and for what length of time. Kord has mentioned the situation to Bob who is willing to work with us, however we want to handle this. We should be able to set financial expectations with him.

Kathy S. is concerned how this might affect the Delinquent Tax Collector and the work that he does. She wonders if that would fall outside the parameters of this kind of policy.

Ron brought up the idea of keeping the Attorney on a retainer – paying an annual fee and no more. Perhaps get an average spend over the last 10 years or something like that. Sounds like a good idea we should explore. Maureen will look to see if the VLCT has a model policy about this. George thought it might be a good idea to see what other Towns do. He would be willing to call around if need be.

### **Review Sheriff's contract for signature**

This is simply an extension of the current contract for 10 hours a month. Kord recommends that we keep it the way it is.

Motion: To sign the Contract for Law Enforcement Services with the Windham County Sheriff's Office - moved by Maureen. All voted in favor.

### **Old Business: ARPA funds**

Maureen explained that the State is going to get a lot of money from the ARPA funds and we, in turn, will get a lot of money from the State. With Kathy's assistance, Maureen enrolled us in the process. We got confirmation of the enrollment and were advised that we will be receiving

\$41,456.35. When it gets distributed to us, it will be in equal payments, at least 12 months apart. We will have to start thinking about where we can use the money – there are very specific uses, but we don't have to act right away. There is a long period of time in which to use the money.

### **Review Animal Holding Contract/Animal Control Officer Status/Animal Complaints**

This has come about as a result of the Animal Control Officer (ACO) Shared Services with the Sheriff's Department. If the Officer seizes (impounds) an animal, they must have some place to take them. Dawn asked if this covers any animals, because there is a pig running around in her neighborhood now. It was explained that this covers domestic animals, not farm animals, which is what the pig would be considered.

Barbara Lettenberger is concerned about the status of the complaints. She said that Kord should have received a video yesterday from George Heslin showing how he was held captive on his deck by Zoey (the German shepherd), her puppy and another black dog that was in the neighborhood. The State Police were called and at one point there were 3 Police vehicles in the driveway. They proceeded over to the Clay home and were joined by a fourth officer. They were told that Gary Clay was not home.

Kord said he'd been in touch with George explaining that we are trying to get this program (and problem resolution) going. We were under the impression, from the meeting George and Sheriff Anderson attended last month, that George was going to be in touch with the Sheriff's department prior to his arrival on the holiday weekend to work out something with the ACO. We don't know if that happened. Lew Lettenberger recalled an incident on June 18 with Scott Noble, who was being chased in his yard by Zoey. Zoey chased cats up the trees. Her puppy was there too. When Scott went to the Clays' home to complain, he was chased off the property by a pit bull. Lew then told how Zoey snuck up their driveway and almost got to Barbara working in the yard with her back to the dog. It was a very, very scary situation. Scott filed an affidavit about that and heard back from (Sheriff's) Sargent Lakin, who said he would issue a summons. Supposedly Gary Clay told Sgt. Lakin that his dogs were running loose for 20 years, and he had no plans on changing anything. Lew called the State Police and explained the situation. The officer (unnamed) was familiar with Gary and said he would call on him to see if he could influence Gary to change the situation. Lew stated it was quiet from the dogs for a couple of weeks until this past weekend. We are all very frustrated by this. We're not sure what else we can do. The hope is that the ACO will be able to intervene. Kord will speak with the Sheriff tomorrow. Lew continued that in his conversation with the State Trooper, the Trooper commented that they have the authority to have the Humane Society take animals away. Lew wonders if we wrongly passed over the State Police in favor of the Sheriff, but Kord explained that we've been involved with the State Police over animal issues before and they went nowhere.

### **Deerfield Valley Communications Union District (CUD)**

David Cherry sent an announcement that the CUD is getting started in advancing "our goal of securing high-speed internet for every home and business in our district". They expect "fiber-based internet to be available to unserved and poorly served areas by the end of 2024".

### **The Meeting House: Tree Work Proposal**

Kord (and reps from the Town Meeting House Committee and the Friends of the Meeting House) met with Michael Longo – the tree guy – to go over the tree situation. Michael submitted

a detailed plan for pruning, removing or checking 8 trees at a cost of \$3300. A volunteer work crew will be organized to clean up after the tree work, headed by Richard Paré.

Motion: To hire Michael Longo to act on the trees per his proposal – moved by Kord. All voted in favor.

### **Roads:**

#### **Traffic Cones on Windham Hill Road**

There was an inquiry from a resident asking if we'd given approval for the traffic cones near Meadows Bee Farm. We haven't, but Kord explained the placement of the cones started when the paving trucks were flying up and down Windham Hill Road. Even though the farm has moved their driveway to make it in a safer spot, there is a blind spot, and they are concerned about people's safety. In addition, they have young campers on site for a couple of weeks – again safety concerns. Kord is reluctant to ask them to remove the cones. Maureen asked if Kord thought they would remove them after the camp ends, to which he responded that the cones did come down over the weekend, implying that they would.

#### **Review Rt 121 Paving Invoice**

The invoice is being reviewed by Everett Hammond (engineer) and it appears as if everything so far is in order. We are maximizing the full amount of the grant. We will file for that reimbursement in the next few weeks, as we are still waiting on 1 or 2 outstanding invoices.

#### **Review White Road proposed repairs/meetings with officials and residents**

The ditches in front of Carrie Tittle's and Ron Cohen's house (as well as their neighbor Walter's) has been problematic for years. Alan May from Better Roads was here to look at another project for which we have a grant and we asked him to take a look at this problem and validate Richard's concerns. Stone-lining seems to be the answer. The road should be built up and then widened and lined in stone. Richard will draw up a sketch. Ron understands.

At this point, Crystal Corriveau addressed the traffic cones saying that she thinks they should not be in the road. She feels they are hazardous and it's different than when road work is being done with big warning signs of what's ahead. Also wants us to know that she is grateful for the paving but is concerned about the speeders. In addition, she wants us to know that in response to Ed Brown's barn sales, people are parking on the curved part of the road, and it causes dangerous situations. As far as the speeding is concerned, Kord will speak with Sgt. Lakin who will probably be in touch with Crystal. If she can provide particular information about speeders (like times of day) that would be helpful. Kord also understands about the curve in the road (which he pointed out is actually in Jamaica). Just from memory, Kord thinks that the State law, unless otherwise specified in a local ordinance, allows for parking a vehicle with 2 wheels on the road. He will confirm this.

#### **Review bidding and plans for Road Erosion Inventory & Emergency grant storm damage repairs**

We have a number of outstanding projects for which we have grant money – road erosion repair, storm damage, culvert and ditching. Since we have limited time to get this work done, we went out for pricing from 3 excavators – Hill, P&L and McLean. The thought is to perhaps hire all of them and put them to work in different parts of Town, for instance, White Road, West Windham and Rt 121 (storm damage). Maureen and George didn't have a chance to look at the quotes yet and suggests that we have another meeting to go over them. It's tentatively set for Friday at 6 – Maureen will confirm and send out a meeting notice.

**Discuss Road sign installations**

People have been asking if it's the Town's responsibility to install private road signs. Kord feels that it's best if we install the signs that intersect with Town roads since the Fire Company relies on them. The private road signs can be installed by the owners.

To Carrie and Ron, Kord addressed their question of lowering the speed limit on their section of White Road. He explained that it is a lengthy (perhaps 5 years), cumbersome process to do. But Richard reminded Kord that at George Dutton's house, we put up a tractor sign with a suggested speed of 25 mph. They would be happy with that. The signs should be in, in a couple of weeks.

As for the invoice for private road signs ordered for Timber Ridge, Maureen sent the bill to Tim Waker, treasurer, so Kathy should be seeing the reimbursement for that shortly.

**Review Better Roads grant for signature**

Motion: To have Kord sign the Better Roads grant paperwork for \$30,000 covering work on White & Scott Pet roads and return accordingly – moved by Maureen. All in favor.

**Review Salt Shed repair proposals**

Pete Newton is going to start on the bracing for the building. Still have to deal with the fuel tank with roof and get the salt shed roof repaired (Asa Goodband) so that it doesn't leak onto the salt. Kord got pricing from Cota & Cota to pump out and refill the tank when we're done.

**Grant for Emergency storm repairs**

This covers the Christmas 2020 storm. We had about \$50,000 worth of damage. This grant will cover \$45,990 with a 20% match. This expires 12.31.2022.

Motion: To have Kord sign the Town Highway Emergency fund program for \$45,990 – moved by Maureen. All voted in favor.

**Grant for Chase Road culvert**

This covers the Chase Road culvert project. This grant will cover \$175,000 with a 10% match. This expires 12.31.2023. Everett Hammond has already designed this but take another look to make sure it still meets the criteria.

Motion: To have Kord sign the Town Highway Structures Program – moved by Maureen. All voted in favor.

**Payroll and Bills:**

Everything looked in order for signing. Kathy reminded us that if all three of us can't sign the cover sheet, then only 1 of us can. Maureen signed.

**Adjournment:**

Motion: To adjourn the Selectboard meeting at 7:36 PM – moved by Kord. All voted in favor.

Respectfully submitted,

Maureen Bell  
Acting Selectboard Clerk