

**Windham VT Selectboard Meeting Minutes  
May 16, 2022 Regular Meeting**

**Via Zoom**

Kord Scott, Selectboard Chair

George Dutton, Selectboard

Michael Pelton, Selectboard

Mary McCoy, Selectboard Clerk

Other town officials who reported:

Bill Dunkel, Energy and Planning Chair

Kathy Scott, Town Treasurer

Carolyn Partridge, State Representative

Others attending entire meeting:

Maureen Bell, Former Selectboard Chair

Abby Pelton, School Board Member

Others attending some of the meeting:

*Re: Dog Bit*

Ashley Pinger

Paul Samataro

Bob Fisher

George Heslin

Elizabeth Stober

Barbara Lettenberger

Carrie Tintle

Ron Cohen

Jim Lawler

*General Interest*

Gail Wyman

Tom Widger

Bill Casey

John & Sally Hoover

Marcia Clinton

Imme Maurath

Russ Cummings

Barbara Jean Quinn

**Call to Order**

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

**Additions to Agenda/Announcements/Reminders**

There were no additions to the agenda. Due to speaker and time constraints, the order of the agenda items was changed somewhat.

**Approval of Minutes**

There was one change to the minutes from the meeting on May 2, 2022. Senior Solutions was corrected to be Seam Solutions.

**Motion:** To approve minutes as corrected. Kord moved, and all agreed.

**Public Comment**

Kathy Scott reported that she paid a bill for \$5000 related to the law suit that was brought against the school by Erin Kehoe and Crystal Corriveau. That suit was dismissed by the court. The town may still incur additional charges, as Erin and Crystal are also suing the town. Kathy stated that taxpayers should know about this.

**Correspondence**

Rachel Spangler forwarded an email from Rescue, Inc., saying they are unable at this time to consider providing services to Windham. A notice was received from VLCT regarding dental insurance for town employees.

**New Business**

1. Dog Bite Complaint - Ashley Pinger, sheriff's animal control officer, said she has been working on the problems related to Gary Clay's dog since July of last year, resulting in fines being made, which Gary has not paid. With more reports about the dog running free, Ashley drew up an affidavit informing Gary that his dog could be seized. Others advised Ashley to try mediation before seizing the dog.

There are now three dogs on his property, due to the Van Alstyne family also living there since their home was destroyed by fire. Recently one of those dogs bite Elizabeth Stober, but she doesn't know which of the dogs it was. The explanation of what happened that Cathy Clay gave Ashley is not, according to Elizabeth, what happened.

George Haslin reported that the dogs are still running free, as they have been for at least two years. He has repeatedly contacted the police about this.

Bob Fisher, town attorney, said that our town ordinance states that any dog running wild and scaring people can be considered "potentially vicious." If a dog bites someone, it is "vicious" and can be impounded. Before the selectboard can take action, a hearing must take place to review the evidence and consider the options, such as fencing (at the Clay's expense), seizure and adoption, or seizure and euthanization. Mediation is not a necessary step.

George, Elizabeth, Barbara, Carrie and Ron expressed their frustration, as these dogs have made it impossible from them to walk from their homes without fear of being bitten. They urged the selectboard to take action.

Capt. Paul Samataro, from the sheriff's office, said that in order to seize the dogs a warrant is needed. Bob said there might be enough evidence to get a warrant to impound them, and if there's a hearing and the Clays don't show up, it might be possible to get a warrant immediately. George D. noted that the dogs have not been licensed for 2022.

**Motion:** To hold an emergency selectboard meeting this Friday, May 20, at 12:00 noon to determine action on the three dogs on the Clay's property. Kord moved and all agreed.

**Next Steps:** Contact the dogs' owners. Post meeting. Have neighbors prepare evidence.

2. State Education Taxes – Carolyn reported that the State House and Senate have passed Act 287, which revises the calculations for towns' education taxes. (Officially, this act "improves student equity by adjusting the school funding formula and providing education quality and funding oversight.") Assuming the governor signs the act, it will change the weights applied in calculating taxes, related the size of school populations and other factors. Carolyn requested specific information about Windham, and the reply she received indicated that our town will have a lower tax rate, a 27% decrease based on a spending level consistent with our current one. The change will be phased in, taking full effect in 2025.

3. Window Dressers – Bill Dunkle requested a formal motion for the Window Dressers to use the Meeting House November 10-17, 2022 for creating window insulations. Maureen, speaking for the Meeting House Committee, said there was no problem with the dates.

**Motion:** To have the Window Dressers use the Meeting House November 10-17, 2022. Kord moved, and all agreed.

4. Better Roads Grants – Kord will send George and Michael an email he received regarding this.

5. Housing in Windham – Michael wants the selectboard to consider ways the town can increase housing here that is affordable for families. This would not be a housing complex or other new housing. But the need here is great, as it is elsewhere, and it needs to be addressed.

Bill D. said this could require a change in our town's housing ordinances. There are also state guidelines that must be followed. Tiny houses must be connected to septic systems, as is true of mobile homes after a certain time period. Russell said federal Section 8 regulations may also apply. Michael said he's not necessarily thinking of low-income or subsidized housing.

**Next Step:** Continue to consider ways to address the housing shortage here.

6. Town Owned Property – Kord reported that a family has expressed interest in buying a property owned by the town. A fair process for this needs to be followed by advertising the property for sale, and not just selling it to the interested family, as others might also be interested in buying it. Kord and Richard Paré looked at the land for use by the road crew, but it was not what they needed. The town owns two or three properties, and they might all be advertised. Michael asked if a property might be used as a public meeting place, and Abby said folks need a place to gather informally. Before advertising the property for sale, Michael suggested that the selectboard ask town’s residents for their ideas about its usage.

**Next Step:** Kord will send out a property description to Michael and George. He’ll ask Town Clerk Ellen McDuffy to send a request for ideas to her email list.

7. Payments for Grant Administration Costs – Kord said that the LHMP grant requires a \$2500 match from the town. This can be cash or in-kind. Since we are paying someone for their services, we can count that as in-kind, but if they were volunteers, we would have to pay the \$2500 in cash. Kord said a plan needs to be developed related to this, as other grants require administration. George said we might not want to set a precedent of paying administrators, as other grants may not be like LHMP.

Asked to define LHMP, Kord explained that it mitigates hazards caused by weather events, and it is required for the town to receive reimbursements from FEMA. Currently, we anticipate receiving \$30,000 to \$60,000 from FEMA.

**Next Step:** Payments for grant administration will be considered at the next meeting.

## **Old Business**

1. Alliance Initiative – Michael wants the town to look for ways to augment Windham’s sense of community and to better communicate what Windham has to offer. He has shared his thought experiment about this and wants input from town folks. Perhaps this can be part of the ARPA committee’s work. Kord agrees with this idea and mentioned a focus group that previously consider the issue, which he thinks Alison Trowbridge and Carolyn Partridge were a part of.

**Next Step:** Michael will contact Alison and Carolyn to see what they know.

2. Letter to State Legislators about CLA – There have been no replies to the letter.

3. Zoning for Future “Slate Ridge” Requests – We need to look at our zoning ordinances to address requests like the one received from Slate Ridge, a paramilitary group that wanted to buy land here to use for trainings. Bill D. said our current regulations may be enough to prevent a military installation, but we need legal advice. It is best to state clearly what is prohibited, such as no use of explosives, or no use for a paramilitary training.

Michael said that from working in the Dept. of Corrections, he knows that use of property for training purposes is important. A place like Rod and Gun Club in Chester also shows that areas for training can be appropriate. George and Michael said that the use of the word “paramilitary” should be avoided. Bill agreed that we need legal advice on the wording, as well as further discussion about changing our zoning ordinances. Right now, a group like Slate Ridge would not be able to operate here because they would be considered a commercial operation, which can only be on one-acre plots.

**Next Step:** Kord will discuss with Bob Fisher. Selectboard will discuss more later.

4. Better Roads Hydroseeder – The grant reimbursement has been received.

5. ARPA Committee – Several people have volunteered to serve, and we expect more once the News and Notes gets out with our request. Mary is collecting the names. Kord commented that ARPA funds can be used as matching money for grants, such as those for local roads.

6. Volunteer to Serve on Regional Commission for LHMP – Michael volunteered to represent the selectboard on this commission, serving as the town’s point person.

**Next Step:** Kord will notify the commission that Michael will serve.

7. VLCT Recommendations on Speed Limits – George said it seems we can set our speed limits to 35 mph.

**Next Step:** Continue this discussion at the next meeting.

8. Sharing Londonderry Equipment – Londonderry is not interested in renting their mower to us. It is new, and they haven’t even used it yet. George said to consider putting a bush hogger on the front of the bucket loader. Kord said this was Richard’s suggestion too.

**Next Step:** Explore that option.

#### **Other Old Business/Roads Issues**

Richard has sent out a request for bids for sand, which are due in next week. Last year’s supplier wants a commitment soon.

#### **Payroll/Bills**

**Moved:** To approve the pay orders received from the town treasurer. Kord moved, and all agreed.

**Moved:** To have Kord sign for the payments presented. Kord moved, and all agreed.

#### **Adjournment**

**Moved:** To adjourn the meeting at 7:49 PM. George moved, and all agreed.

The next selectboard meeting is scheduled for, June 6, 2022. Agenda items that were not addressed at this meeting due to lack of time will be on the agenda for that meeting.

Respectfully submitted,  
Mary McCoy, selectboard clerk  
Approved June 6, 2002

Accompanying documents:  
Email from Rescue, Inc.  
Dog Bite Report re: E. Stober