

**Windham VT Selectboard Minutes
June 19, 2023 Regular Meeting
Held on Zoom Only**

Kord Scott, selectboard chair
Michael Pelton, selectboard
George Dutton, selectboard
Mary McCoy (Mac), selectboard clerk

Maureen & Vance Bell
Russell & Joyce Cumming
Tom & Eileen Widger
Phil & Ellen McDuffie
Gail Wyman
Barbara Jean Quinn

Cathy Edgerly Fales
Ginny Crittenden
Howie Ires
Abby Pelton
Crystal Corriveau
David Cherry

1. Start Recording and Call to Order

Kord called the meeting to order and started the recording at 5:34 PM.

2. Additions/deletions and/or changes to agenda – Kord suggest postponing the discussion of Phil’s emails regarding the constable (agenda item 9E) until the selectboard was able to research the matter. George and Michael wanted to discuss it now, and Kord agreed to leave the agenda as it was.

3. Announcements/Reminders – Kord said the draft of our Local Hazard Mitigation Plan (LHMP) is available at the Town Office for public comment. Approval of this plan assures that the town receives full FEMA reimbursements if we experience a disaster.

4. Act on minutes from the 6-5-23 selectboard meeting.

Motion: To approve the minutes from 6-5-23 regular meeting. Kord moved, and all agreed.

5. Public Comment

Maureen said the town received a note from the State Treasurer Michael Pieciak, who attended our town meeting, saying he was happy to have been here. He reported that Windham residents have claimed \$4,000 in previously unclaimed monies.

Russell commented nuisance animals should be confined and, if they are not confined, they should be impounded. He said “Beau” bite a neighbor, and the ordinance should be enforced. He was told that Ashley, the sheriff’s animal control officer, has been notified.

Phil objected to statements in the minutes from the last meeting regarding his letters.

6. Correspondence – Bill Dunkel contacted the selectboard about a nuisance animal on his property. Ashley has been notified.

7. Payroll/Bills

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

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

8. New Business

A) Discuss upgrading CCI internet for faster service – George said Russell had notified the selectboard that the internet service is much too slow to effectively upload and download info to and from NEMRC.

Motion: George move to upgrade the internet service at the Town Office to the highest speed available. Discussion followed.

The upgrade would cost an additional \$28 per month. Ellen said she and others in the clerk's office would appreciate the upgrade. Howie said the school has a fiber optic connection through Solvernet that might be extended to the Town Office. Russell said the school's connection is controlled by the school's supervisory union. Michael asked to amend the motion to include a query to Solvernet, and George agreed.

Amended Motion: To upgrade the Town Office's internet connection to either CCI's fastest DSL speed or Solvernet's fiber optic connection. George and Michael moved, and all agreed.

Next Step: Contact Solvernet about extending the fiber optic option to the Town Office.

B) Discuss automated attendant for the Town Office – Kord said that most town's have an automated attendant to forward calls to the appropriate town official. Joyce said the Town Office only has two lines, so an automated system was probably not an option. Howie suggested including this in the discussion with Solvernet about fiber optic.

Next Step: Discuss this matter more at a future meeting.

9. Old Business

A) Update on possible Highway Dept property – The property owners who said they might have land for the new salt shed and other Highway Dept use have been contacted, but have not replied. George said Frank Seawright did some research and said the property was not suitable. Road Foreman Richard Paré looked at the land and thought the same thing. Kord said no further investigation was needed until we have heard back from the owners about what price, if any, was wanted.

Ellen said the property across from the Town Office would be a good location. That land is owned by the Nature Conservancy. Kord said he contacted the Nature Conservancy, and they will not consider parting with the property. Ellen said she heard they sometimes will trade land for other land. Cathy said that she spoke with the Londonderry manager who said they are looking for a site for a gravel pit, and he might share information he is learning.

Next Steps: Cathy will discuss further possibilities with the Londonderry manager. The selectboard will continue the search.

B) Update on eliminating invasive roadside plants – Kord said Richard experimented by weed whipping the chervil on a section of the roadsides, and it grew right back. He does not feel cutting is the solution.

Next Steps: Continue researching other options besides cutting or using chemical killers.

C) Update on webmaster search – Vance reported that he talked with one company in New York state that could do the work, including moving the website from his server to theirs. He said he will meet tomorrow with a local company, and there are two additional possibilities that looked favorable from their initial contact. Joyce asked if the change would include moving from a .com address to a .gov address, and Vance said it would. Michael thanked Vance for all of his efforts.

Next Step: Kord will make contacts regarding the prices of possible web services.

D) Update on Meeting House CAPP (Community Assessment Priority Plan) – Maureen said there was a meeting last week that included her, Vance, Cathy, Pete Newton, and Meg Staloff who is facilitating the process. Meg took notes and will put together an action plan. The group identified three areas of concern – historic preservation, energy consumption, and various uses of the building – with the changes wanted in each area. Mac said it was her expectation that the process would be townwide, with meetings for all interested residents to give their input.

Cathy said that was also her expectation, but the group went in a different direction. Maureen said the group had no indication that others wanted to express their opinions, but if they did, they could attend one of the meetings. Ellen asked if the group needed to be officially appointed, and Maureen said they had all been appointed to a committee that they represented – she was from the Town Meeting House Committee, Vance represented the Energy Committee, Pete represented the Friends of the Meeting House, and Cathy represented the Planning Board. Joyce asked who would make final decisions. Maureen said that Meg was helping them focus and plan, but all decisions are up to the selectboard. Kord said the advance work will help to focus on what needs to be done, so the selectboard can make a wise decision. Tom said that the foyers have been painted, and it didn't cost the town a dime.

E) Discuss follow-up correspondence from Phil McDuffie's re the constable position – Phil has sent three emailed letters to the selectboard regarding the constable, and he gave an overview of these. Here is a summary of his statements.

He believes the following to be true:

- Our town constable came into the Town Office carrying a gun.
- The selectboard plans to send the constable for training so he can issue tickets.
- There are issues related to the constable having increased power that could be costly for the town, including liability issues and the costs of establishing a one-person police department.
- Our constable had taken action beyond his limited duties.
- The selectboard did not respond appropriately to the concerns he stated in his first two letters.
- Since the constable is Kord's step-son, there could be a conflict of interest.

Phil said he had conducted research, including speaking with law enforcement officials. He understands that anyone who wants to carry a gun in Vermont can do so. But he is concerned about the selectboard's intentions. He asked the selectboard to tell the constable to not carry a gun while performing his constable duties, and he drafted an "Acknowledgement of Self-Indemnity by the Constable" that he wants the constable to sign (or a differently worded statement with the same intent). Phil read this acknowledgement, and it is attached to these minutes as part of his letter to the selectboard of June 16.

Michael thanked Phil for his information, but assured him that the selectboard has made *no* decisions about the constable, except to use him effectively. He agreed that carrying a gun could impact liability. Phil restated some of his concerns and said again that the constable should sign a statement like the one he drafted.

Motion: To submit Phil's letters to Bob Fisher, town attorney, and get his response to Phil's concerns and his proposed "Acknowledgement of Self-Indemnity by the Constable." George moved, and all agreed.

11) Adjourn regular meeting and stop recording

Motion: To adjourn the meeting at 6:53 PM. George moved, and all agreed.

The next regular selectboard meeting is scheduled for Wednesday, July 5, 2023 at 5:30 PM

Respectfully submitted,
Mary McCoy (Mac), selectboard clerk
Approved July 5, 2023

Attached: Phil McD's three emails re Constable