**Windham VT Selectboard Minutes**

**September 18, 2023 Regular Meeting**

**Held on Zoom Only**

Kord Scott, selectboard chair

Michael Pelton, selectboard

George Dutton, selectboard

Mary McCoy (Mac),

selectboard clerk

Ellen McDuffie

Dawn Bower

Imme Maurath

Phil McDuffie

Maureen Bell

Russ & Joyce Cumming

Carrie Tintle

Ron Cohen

Cathy Edgerly Fales

Crystal Corriveau

Barbara Jean Quinn

Gail Wyman

Abby Pelton

Ginny Crittenden

Pat McLaine

Catherine ?

**1. Start Recording and Call to Order**

Kord called the meeting to order and started the recording at 5:30 PM.

**2. Additions/deletions and/or changes to agenda –** There were no changes.

**3. Announcements/Reminders** – Thanks were stated for the new sign at the Meeting House for posting warnings and announcements. Brunch and Brainstorm for the Meeting House will be this Saturday, 9/23.

**4. Act on minutes from the 9-5-2023 selectboard meeting**

**Motion:** To approve the minutes from the 9-5-23 regular meeting. George moved; all agreed.

**5. Public Comment –** Phil complained that the minutes for the selectboard and ZBA meetings were not properly posted.

**6. Correspondence –** Phil sent correspondence that will be forwarded to the ZBA. Crystal sent a complaint about not finding minutes on the website.

**7. Payroll/Bills**

**Motion:** To approve the pay orders from the town treasurer. George moved, and he and Kord agreed. Michael had not reviewed the pay orders and abstained.

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

**8. Staff Reports and Discussions**

**A)** Solar array bids – review recommendations and award – Mac said the two bids had been reviewed. Both were good, but Southern Vermont Solar will provide more generation for only $369 more, and it is the more established and experienced company. She and Michael Simonds reviewed the bids carefully, created a comparison of the two that was sent to the selectboard, and recommended awarding the bid to that company.

**Motion**: **To install a solar array on the Town Office roof that fully covers the south side of the roof, as recommended by the ARPA Committee and the Energy Committee, and to accept the bid from Southern Vermont Solar to install it, paying for the array using ARPA funds for 70% of the cost and the federal Energy Incentive Tax Credit for 30% of the cost.** George moved, and all agreed.

Ron asked if putting the array on the ground had been considered, and Mac explained that the roof was the more ideal location. Phil said the administration of the array might require the creation of a governing committee. Mac said Southern Vermont Solar would take care of the permitting process, and the array would use Green Mountain Power’s net metering process, which was easy to set up and could be changed up to four times a year. She said management of the array could be handled by the town treasurer and selectboard.

**B)** Update re 9/23 “Brunch & Brainstorm” event at the Meeting House – [This item was delayed, due to Cathy’s audio not working, and was addressed after New Business.] Cathy urged everyone to attend the event. The information gathered will be helpful in prioritizing the Meeting House’s needs, and the report of the meeting will be helpful is securing grants.

**C)** Discuss town office copier status – Ellen said there continue to be problems with the copier. Others agreed, saying the problems are impacting everyone’s time who works in the office. Discussion centered on whether to repair the current machine, buy a new copier, or lease a new copier. Michael offered the idea of getting a small copier as a backup. Ellen said she has one estimate to buy a Canon copier for $5,100. That price includes maintenance and has a reduced price due to State help. Ellen said the repairman for the current copier said it was near the end of its life. She also suggested keeping the current copier as a backup.

**Next Step:** Ellen will get cost estimates to lease or to buy from two more vendors, preferably by the next selectboard meeting. Kord will get an estimate for a small backup printer.

**9. New Business**

**A)** Discussion request from Leigh Merinoff re dog rabies vaccinations – Kord spoke with Animal Control Officer Ashley Pinger, who said the town is required to have proof of every dog’s rabies vaccination, unless a letter is received from the dog’s vet stating that the dog is too old or too ill to be vaccinated. Leigh has been advised accordingly, but has not responded. Kord noted that this was not just about Leigh’s dog. Ellen said there are several other dogs in town that have not registered with proof of vaccination. Dawn said an unregistered dog came into her yard and growled and bared its teeth at her.

**Next Steps:** Kord will contact Leigh about her dog. Ellen will provide Kord with a list of the dogs that are not registered. Kord will contact Ashley and Jim, our town constable, about unregistered dogs and the dog that bared its teeth at Dawn.

**10. Old Business**

**A)** Update on First Light internet service availability – Kord reported that the school has high speed service from First Light, and they will expand their service to the Town Office for $500-$700 per month with a 3-year contract. Phil said it might not be too expensive, considering what is needed in the Town Office. Kord said DVFiber is coming, but we need a bridge service until then. A faster CCI rate and satellite service were suggested.

**Next Step**:Continue to explore a faster internet connection for the Town Office.

**B)** Update re Box Culvert/Beaver Deceiver at Burbee Pond & West Windham Rd – Kord spoke with Skip Lyle who will give us a price to fix or replace the beaver-deceiver. FEMA reps were told we had damage to the culvert there and the probable need a second bypass culvert.

**Next Step**:Report on information on these issues from Skip and FEMA.

**C)** Update on FEMA project – Kord reported that all damage has been reported to FEMA, including newly identified damage, and the FEMA reps will return with their response. Michael thanked Kord, Richard, and Imme for their good work with FEMA.

**D)** Update on FHWA project – Kord said the federal government will provide help with Windham Hill Road and Route 121, as these are considered federal connectors and are not covered by the state. They will help us with cost estimates and what they will reimburse. Imme noted that the current culvert replacement on Wheeler, which will keep that road closed for five weeks, likely will cause increased water to flow to the downstream culvert at Windham Hill Road. Kord will talk with the FHWA people about our need for a culvert near where Wheeler Road connects with Windham Hill Road. The current culvert replacement on Wheeler will cost $314,000, and one by Windham Hill Road will have a similar cost, so we will need support to finance that.

**E)** Update on VLCT/PACIF meeting re the constable liability issue – Kord attended a meeting with seven others, including legal counsel from the VLCT and PACIF, to discuss constable issues. This matter is of concern in many small towns, as existing law enforcement can’t handle all the issues that come up. Changes to state legislation may be necessary. There are some current statues re constable duties and training, but they cause some confusion. There are liability issues if constables do what they don’t have the proper law enforcement training and certifications to do. Our constable, Jim Lawler, is fielding and clarifying complaints and then directing parties to/or accompanying them to the appropriate trained law enforcement officials to address the issue – like selectboard members would do. It seemed clear from the VLCT/PACIP meeting that constable issues need to be clarified legislatively, and they asked if we would participate in legislative meetings with the VLCT advocacy team. Kord thanked Phil for his letter that prompted the meeting and may result in statewide changes that help all small towns.

**F)** Update on insurance & legal input re Meeting House fire safety inspection – Town attorney Bob Fisher looked into this and said that the fire marshal is giving us latitude. As long as we are working to address the situation, we can use the downstairs. We need to change the doors to the outside so they swing out and not in. Ron offered to help provide an interim solution until historically correct doors and hardware can be installed. Michael asked that those using the building be made clear of evacuation issues.

**G)** Update on legal input re the town’s official relationship to Friends of the Meeting House – Bob is looking into the relationship. Dawn asked why the Friends’ request to approve moving forward on the doors had been delayed. Kord explained that Pete said he could not do the work until early next year, and Cathy explained that the town can apply for a grant for some of the expense and will know by this year’s end if our request is approved. Pat said fire safety should be the priority and should not be delayed. Others want to wait for Pete to do the work of making historically correct doors, as he is one of a few people who can do this. Ron repeated the suggestion of correcting the doors temporarily, and George said it is more complicated than that, as the platform outside the doors will also have to be changed. Cathy will try to include the platform in the proposal for historically correct doors. We need to find out what the doors and ramp looked like in the 1800s. Ellen looked in the files and found a photo from 1900, but that was the oldest she could find. Cathy said there is also the issue of the access ramp that will need to be improved and taken into account. Other grants might fund that.

**H)** Update on Alptfart property demolition – Kord reported that Michael Simonds, zoning administrator, has been pushing the owner to demolish the house, but the owner wants to save what he can. He was supposed to come to Windham today, but he didn’t. He told Kord he had hired an engineer to show how his house could be rebuilt on the same site. The owner also hired a lawyer who wrote to the town to protest our demand that the house be demolished. Bob Fisher will contact that lawyer who clearly didn’t know the history of the town trying to get this site cleaned up. Kord said that the engineer will see that the house is in a flood plain and cannot be rebuilt there. Joyce said immediate action should take place because the house is a safety and liability issue for the town. Kord said the selectboard knows that cleaning up the site is a priority. Crystal asked what the town’s budget is for attorney fees.

**Next Step:** Continue to pursue the demolition process

**I)** Update on the VLCT comments re resident concerns about agenda item wording – Kord checked with the VLCT and Bob Fisher, and he learned that it is not a requirement that the selectboard agenda state that action could be taken on an agenda item. Joyce insisted that the secretary of state’s website says the agenda should be as clear as possible. Abby said that what is important is to list items to be discussed/reported with the understanding that action can be taken. Phil suggested stating on the agenda that action might be taken on any item. Joyce insisted that the secretary of state’s office should be consulted.

**Next Step:** Joyce will send Kord the info she found that said this is a requirement.

**11) Adjourn regular meeting and stop recording**

**Motion:** To adjourn the meeting at 7:36 PM. George moved, and all agreed.

**The next regular selectboard meeting is scheduled for**

**Monday, October 2, 2023 at 5:30 PM**

Respectfully submitted,

Mary McCoy (Mac), selectboard clerk