

**Windham VT Selectboard Minutes  
December 4, 2023 Regular Meeting  
Held on Zoom Only**

**Present:**

Kord Scott, selectboard chair  
Michael Pelton, selectboard  
George Dutton, selectboard

Cathy Edgerly Fales  
Kathy Jungermann  
Joyce & Russell Cumming  
Ginny & David Crittenden  
Tom & Louise Johnson  
Jack Beusmans

Bill Casey  
David Cherry  
Bill Dunkel  
Abby Pelton  
Phil McDuffie  
Maureen Bell  
Gail Wyman

**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** – There were no announcements.

**4. Act on the minutes from the 11/20/23 selectboard meetings**

**Motion:** To approve the minutes from 11/20/23. Kord moved, and all agreed

**5. Public Comments** – There were no public comments.

**6. Correspondence** – There was no correspondence.

**7. Payroll/Bills** – The pay orders were sent out late, and George had not had a chance to review them. So he looked them over during the meeting, and the motions were made after that.

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

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

**8. Staff Reports and Discussions**

A) Update on Wheeler Road/FEMA project reimbursement request – Imme sent the required documentation, and the town received \$284,000. Kord complimented Imme’s good work.

B) Update of Rt. 121 culvert project – Kord said the adjacent property owners have received the required information for easement. The federal funding for this project requires an assessment for these properties’ value, which Russell helped to provide. This is now back into the hands of those completing the legal work. This project was postponed until 2025, as there are other projects already scheduled for 2024, and we need to plan for the funds needed as a match.

C) Update on current FEMA FHWA projects – Imme and Richard are working on the FEMA projects, gathering costs for the completed projects. The FHWA project in South Windham is probably not going to happen. This will be confirmed at the next meeting.

D) Update on who signs permits for zoning administrator’s property – Bill Dunkel is the logical one, and Kord confirmed with the VLCT that it is OK for Bill to do this.

**Motion:** To appoint Bill Dunkel to be the temporary zoning administrator for Michael Simonds and Mary McCoy's zoning application. Michael moved, and all agreed.

**E) Update on various grants** – Cathy Fales reported that we were awarded an AARP grant for \$4,000 for Winter Tables, five culinary events with a chance to eat together and an exhaust hood for the stove. She has created a website for people called winterstables.com, so people can see the details and reserve a spot. Cathy said we have had good luck getting donations from local markets. For the exhaust hood, she asked that the selectboard set up a special meeting to discuss the options for the hood's installation.

The state historic grant was submitted in early October, and we should know results by December 14 or 15. The Bruhn grant proposal is due December 21, so Cathy has two outlines for submission, based on whether or not we get the state historic grant. She is working with Pete Newton on this.

Cathy will meet soon with Chris Campany from the Windham Regional Commission to see what we qualify for from the Municipal Technical Assistance grant. She will send a report on this to the selectboard. Kord thanked Cathy for her good work.

**Next Steps:** Discuss at the next meeting what to apply for in terms of technical assistance. A meeting to discuss the hood's installation will be scheduled via email to include Pete, Willy (the installer), and the selectboard.

**F) Discuss TNC (Nature Conservancy) project status** – Cathy said the Nature Conservancy will transfer the land, the West River Conservation District, next year to the U.S. Fish and Wildlife Service. This includes 2,292 acres in Windham. The tract has brought in \$8,400 in tax revenue per year that we will no longer receive. This might be mitigated by the Nature Conservancy over the next few years and should be discussed with them in the next few months. There's a video about the transfer, that Cathy has a link to it.

Cathy said that once the transfer is made to Fish and Wildlife, we will be able to apply for assistance, including federal block grants. If we need a culvert somewhere, they might pay for that, as there are examples of them helping other host towns, and not just on problems near the tract being transferred. There will be public meetings, once the land is transferred, but we need to find out what we can receive and be prepared before the public meetings.

The tract across from the town office, called the Regan Tract, is not included in the land being transferred. It is still controlled by the Nature Conservancy, but it seems likely that it will be transferred to the town. Kord said it would be ideal for the town garage, but Cathy said the 48 acres were given by the Regan family to the Nature Conservancy, and they want something that honors the family's father, like a boardwalk. Cathy said it might be possible to locate the garage there *and* have a preserved area to honor the father. She said that perhaps the tax loss can result in a reduced sale rate or a donation of some land to the town.

Bill asked about the advanced, level two MERP energy audit. Cathy said they are behind in scheduling, and now it will be in January at the earliest.

**Next Step:** Discuss what the selectboard would like to have happen as a result of the transfer.

## 9. New Business

**A) Update/discuss budget preparation plans** – Two training meetings have been scheduled with Cynthia Stoddard of NEMRC to learn the new formatting for budgeting. A training meeting 12/12 was set for the selectboard, and George and Michael need to connect Kathy Scott to set a time during business hours. The auditors will meet with Cynthia on 12/19.

**Next Step:** Set a meeting time 12/12 to learn the new NEMRC system for budgeting.

**B) Discuss Town Meeting date plans** – The auditors sent a message regarding the date asking if it would be on a Tuesday or a different day. Michael said he would like to see it on a weekend. George was neutral on the date. Kord is good either way. Kathy J. said there was a primary on March 5, and people will have to come out to vote then anyway. Cathy said participation might increase on a Saturday, as it does not require anyone to take off from work. Bill agreed with Cathy. Ginny and David said Saturday is fine, if it is in March. Joyce and Russ said either was good.

**Motion:** To set Town Meeting for Saturday, March 9, 2024. Kord moved, and all agreed.

Cathy said we will have a hood exhaust by then, and the culinary events that might be tied to the meal for Town Meeting. Maybe we can form a committee to provide the food. Kathy J. said that would be good because she knew no one else that was planning this.

## **10) Old Business**

**A) Planning Commission clerk hiring** – Bill said the PC has two candidates and a PC meeting coming up on 12/13. He will report on the PC’s choice at the next selectboard meeting.

**B) Discuss PC zoning regulation priorities** – The selectboard wasn’t prepared to discuss this. Kord suggested that they look at the email from Bill and respond to him via email and cc the other selectboard members. They can’t make decisions this way, but can share information. Bill said that changes to zoning regulations are needed to get them in line with state legislations. The PC also wants changes regarding recreational vehicles. Bill wants one public meeting to deal with all proposed changes.

Cathy said she is taking a class on what it means to be on a town board/committee. It was advised that all towns look at their regulations and policies. The selectboard can change policies without a public meeting, but not regulations. Fees might be best set as policy, not regulation, and other issues might need to be changed from one to the other. Joyce said that the town bylaws are another category. She said policies state what the selectboard determines, and regulations determine how policies are to be accomplished.

**C) Update on status of heating oil purchase from the school** – Michael said he spoke Cota & Cota who will pump it for us. However, the school doesn’t have an account with Cota, and would have to set up an account to do the transfer. Kathy S. said she could take care of this.  
**Next Step:** Have Kathy S. work with Laurie from the supervisory union to set up an account.

Joyce asked if creating an account would put the town under any obligation beside transferring the oil. Michael said it didn’t sound like that.

**D) Update on Meeting House fire alarm/monitoring system** – David Cherry mentioned at a previous meeting that he had some similar problems with our current vendor and switched to Royal Technologies in Rutland. A representative from Royal came down and looked at the current system. They sent a proposal to either do the fire alarm inspections for \$989 or to replace the whole control panel for \$7561, At this point, it’s unclear if we need to replace the panel. What we need is the code from the current vendor. They have not done an inspection, as far as we know. We have paid them, and the end date isn’t clear.

**Next Step:** Kord will find out the end date for our current service, their costs, and the status of their inspection responsibility.

**E) Update on webmaster transition** – Kord spoke with Vance, and he feels that the transition to the Eliastams has gone smoothly. They want to be able to have folks who are qualified,

such as the selectboard clerk, post information directly. Michael wants to hear from them when they have mastered the nuts and bolts of the website.

**Next Step:** Kord will talk to the Eliastams re the transfer and report at the next meeting.

**F) Update on Altpfart property demolition** – As reported previously, Gary Altpfart said he has a contract with Hill. Hill confirmed that they had sent Gary a proposal but are waiting for a deposit or payment. Michael Simonds needs to follow up on this when he returns to town.

**Next Step:** Report on what Michael learns.

**G) Update on Road Crew annual meeting** – The annual meeting was held last week, and it went well. Kord will do the summary letter and copy it to Michael and George. Kord said they are a good crew, do a good job, and appreciate their good work, and he told them that the town's people appreciate them. Joyce said they do an incredible job.

**H) Update on conflict-of-interest complaint follow up** – Kord said he tried to set up an executive session for this, but that didn't work out. Kord followed the alternative per the Conflict of Interest Policy and met with the person individually. He came away feeling that the person was sincere and had no hidden agenda to make money as a result of the vote. Kord reiterated that perception is important, and it is best to acknowledge that there might be the perception of a conflict. He recommended discussing with others whether recusal is needed. **Next Step:** Kord will ask Mac to prepare a letter for all town officials that includes our town's conflict of interest policy. It will be sent to all committee heads, asking them to share it with their committee members, as well as to independent officials.

Cathy said the VLCT suggested that everyone on a committee receive the policy every year to make sure new members know the policy and old members are reminded. Kord said all new policies should be sent yearly. Phil asked if the person was aware that their actions were a conflict of interest. Kord said the person didn't feel it was a conflict of interest. To him, he was participating in a meeting, and he was voting without personal concern. Phil said he disagreed with that.

**I) Update on Meeting House oil tank inspections** – Tom, Pete, and Maureen all participated in organizing and preparing for the inspections. The tanks were inspected and determined to be in good shape. They were accessed from the outside, but it was determined that there is also access through the storage closet with the folding chairs. Joyce asked if the inspection was done by the oil company or another inspector. Kord said it was inspected by Cota & Cota, the oil company. Kord said the inspector mentioned some evidence of a minor leak/spill, but it was nothing of concern.

## **11. Adjourn regular meeting and stop recording**

**Motion:** To adjourn the meeting at 6:39 PM. George moved, and all agreed.

**The next regular selectboard meeting is scheduled for  
Monday, December 18, 2023 at 5:30 PM**

Respectfully submitted,  
Mary McCoy (Mac), selectboard clerk  
(Minutes were prepared from the recording)  
*Approved January 2, 2024*