

MINUTES
Town of Windham, Vermont
Annual Town Meeting and Annual School Board Meeting
Saturday, March 9, 2024 ~ 10:54 AM to 5:52 PM

The legal voters of the Town of Windham meet at the Windham Meeting House to conduct the annual business of the town and the school, as warned. The seating was new this year. Due to restrictions by the fire marshal, only 150 people were allowed upstairs, and that capacity was reached. Another 10 to 20 people were on the main floor. Everyone was connected by audio-visual hookups, and because of initial technical difficulties with the A-V connections, the meeting did not start as scheduled at 10:00.

Also new this year were name tags for all registered voters, preprinted by Ellen McDuffie, our head election official and town clerk. The nametags were of assistance for paper ballot voting, as they enabled the election officials to see voters' names since hearing names spoken in the noisy room is always difficult. It also helped everyone present to know each other's names.

Michael (Mike) McLaine, the 2023 elected moderator, served until Article 1 of the town's agenda was voted. Mike welcomed voters, read instructions regarding Roberts Rules of Order and other proper procedures, reminded voters to show respect for their neighbors, and led the Pledge of Allegiance.

Annual Windham Town Meeting

Mike called the meeting to order at 10:54 AM to transact the following business:

Article 1: To elect a Town Moderator for the year ensuing.

Kord Scott nominated Mike McLaine

- Mike McLaine was unanimously elected by voice vote to be town moderator.

Mike introduced Windham's State Representative Heather Chase who spoke briefly about her work on the Commence and Economic Development Committees. Mike also introduced State Treasurer Mike Pieciak who spoke about his work, especially related to housing.

Russell Cumming moved that Roberts Rules of Order be suspended, so that town meeting could be interrupted for the school meeting. Bill Casey seconded it. Support from two-thirds of the voters was needed for this.

- Voters approved by show of hands the interruption of town meeting for school meeting.

Annual Windham School District Meeting

Article 1: To elect a Moderator for a term of one year.

Carolyn Partridge nominated Mike McLaine

- Mike McLaine was unanimously elected by voice vote as Moderator.

Article 2: To elect all other officers required by law to be elected at the Windham School:

School District Treasurer, 1-year term (ending 2025)

Carolyn P. nominated Kathy Scott.

- Kathy Scott was unanimously elected by voice vote as school district treasurer.

School District Director, 3-year term (ending 2027)

Russell C. nominated Nancy Tips, and Antje Ruppert nominated Daniel Roth. Each candidate spoke briefly about their qualifications. Carolyn P. moved for a paper ballot vote, and more than the necessary seven people agreed.

- Daniel Roth was elected school district director. There were 144 ballots cast with four spoiled, 67 votes for Nancy, and 73 for Daniel.

WRED School District Director, remainder of 3-year term (ending 2025)

Rory Rosselot nominated Paul Stapleton, and Anne Amsden nominated Rory. Each candidate was given a chance to speak, which Paul did and Rory declined.

- Paul Stapleton was elected WRED school district director by voice vote.

Russell C. moved to suspend Roberts Rules of Order to consider Article 6 before Article 3, and Bill Casey seconded it.

- By show of hands, voters rejected changing the order, with 75 yeas and 58 nays, failing to meet the required two-thirds of voters.

Article 3: To compensate the School Directors \$750 each as included in the proposed School Budget for 2024-2025?

Alison Trowbridge so moved, and Antje R. seconded. There was discussion about how much time is required for this position, how little each director earns, and how long it had been since this their compensation was increased. Howie Ires moved to amend the amount from \$750 to \$1250.

Alison T. seconded.

- Voters approved by show of hands amending compensation for school directors from \$750 each to \$1250 each.
- Voters approved Article 3 by show of hand to compensate school directors \$1250 each.

Article 4: Shall the voters of the Windham School District approve the school board to expend \$596,012, which is the amount the school board has determined to be necessary for the ensuring fiscal year. [Note this amount includes the additional \$1500 approved as an amendment for directors' compensation.]

Antje R. so moved, and Carol Bellucci seconded. Daniel Roth reviewed the budget, which he said reflected recent legislative changes that benefit small towns. He said the cost per pupil will be less than in the past, and the services will be significantly increased.

Lengthy discussion followed. Some parents spoke of the difficulty their children experienced last year related to the school closing, and their preference that their children not be forced to change schools again. Others voters said last year was an anomaly, noting the school's long history of producing successful individuals and the importance of the school to the town. Parents responded that the issue was the welfare of children now, not anything that happened in the past or might happen in the future.

The school board was asked how services would be improved if the budget passes. Daniel said there would be additional licensed staff and services for library, music, art, physical education, counseling, and after school programs. Parents questioned whether quality service providers, including teachers and principal, could be secured and in a timely way.

Alison T. called the question, and Alison Cummings seconded. A call for a paper ballot vote was made with more than seven voters agreeing.

- Voters did not approve Article 4. 137 paper ballots were cast with 60 yeas and 77 nays.

Article 5: Shall the voters of the Windham School District authorize the moving of the operational surplus, if any, from FY 2024 to the Capital Reserve.

Russell so moved, and Rachel Spangler seconded.

- Voters approved by voice vote Article 5.

Article 6: Shall the School Board of the Windham School District provide for the elementary education of students by paying tuition in accordance with law to one or more public elementary schools in one or more school districts for the 2024-2025 school year and continuing thereafter?

Alison T. so moved, and Nancy Tipps seconded. There was more lengthy discussion. Some voters noted that the article meant closing Windham Elementary School, a school that had served the community well until recently due to the loss of long-serving staff. They noted the hard work of the school board as they dealt with very difficult circumstances, and they encouraged others to redirect their efforts from closing the school to making it even better. Parents and others repeated their call to focus on today's children, saying that most Windham parents want their kids to have the choice to go to other schools. They expressed concern that quality staff could not be secured in time to offer a stable situation. There was some debate about the role of the supervisory union and its responsibility in satisfying parents' demands.

Russell moved to close discussion, and it was seconded. A call for a paper ballot vote was made with more than seven voters agreeing.

- Voters approved Article 6. 127 paper ballots were cast with 82 yeas and 45 nays.

Article 7: Shall the voters authorize the school board to petition the state Board of Education to regroup Windham School District into a different Supervisory Union, pending the formation and review of a needs assessment.

Ginny Crittenden so moved, and Bill Casey seconded. Abby said this was proposed to help decide if it would be advantageous to change to another supervisory union. She said Windham will continue to have a school board, and it will be helpful to assess our situation and how it will be impacted by the decisions made today. Parental input will also be sought. Some voters said this was premature, due to today's votes and other uncertainties. The question was called and seconded.

- By voice vote, Article 7 did not pass.

Article 8: To transact any other business that may legally come before this meeting.

No other business was offered by voters.

The Windham School District Annual Meeting was adjourned at 3:36 PM.

Annual Windham Town Meeting

Mike immediately called the Town Meeting back to order. Rachel Spangler moved to suspend Roberts Rules of Order and address Articles 21 and 22 prior to the other articles. Her motion was seconded.

- By a show of two-thirds of voters' hands, Articles 21 & 22 were addressed next.

Article 21: Shall the voters amend the position of constable from an elected position to a position appointed by the selectboard which will establish the qualifications, duties and compensation of the constable position.

Alison C. so moved, and Dan Reilly seconded. Michael Pelton and Kord Scott explained that the selectboard currently has no jurisdiction over the constable, as that position is elected. Passage of this article would let the selectboard oversee the constable who would serve as a liaison between the

selectboard and residents. Kord said Vermont statues define a constable's duties. Some questions and comments were raised about the constable's law enforcement duties, which applied to Article 22 and are recorded there in these minutes.

- By show of hands, voters approved Article 21.

Article 22: Shall the Town of Windham adopt Australian Balloting (17 V.S.A. § 2680) for the election of Town Officers and Special Elections except in cases where a Floor Vote is mandated by Vermont Statute?

Bill C. so moved, and Rachel S. seconded. Some voters said a candidate's night could be held so candidates for offices could present themselves and answer questions, and others said that using the Australian ballot resulted in higher voter turn-out. Mike clarified that this article applies only to the election of town officers and special elections, and Ellen said a floor vote is required to vote on any matters by Australian ballot. The question was called.

- By show of hands, voters approved Article 22.

Kathy Jungermann moved that town meeting be adjourned for lunch, and several people seconded it. By voice vote, the motion passed. Town Meeting was adjourned at 4:00 PM.

Mike called the meeting back to order at 4:38 PM. Many people were no longer present, with about 50 remaining upstairs.

Article 2: Shall the voters accept the Town Report prepared by the Auditors?

Carolyn P. so moved, and Joseph Monroe seconded. Al McLaine noted the hard work done by the auditors in preparing the report.

- By voice vote, Article 2 was approved.

Article 3: To elect all town Officers as required by law:

Selectperson – Antje R. nominated George Dutton, and Walter seconded.

- George Dutton was elected by voice vote to a three-year term.

Lister – Michael Simonds nominated Antje Ruppert, and Russell nominated Frank Seawright.

- By show of hands, Antje was elected for a three-year term as lister with 31 votes to Frank's 14 votes.

Auditor – Ellen nominated Kathy Jungermann.

- By unanimous voice vote, Kathy Jungermann was elected to a three-year term.

Delinquent Tax Collector – Kathy S. nominated Paul Wyman.

- By unanimous voice vote, Paul Wyman was elected to a one-year term.

Windham Center Cemetery Commission – Carolyn P. nominated Walter Woodruff.

- By unanimous voice vote, Walter Woodruff was elected to a five-year term.

West Windham Cemetery Commission – Michael P. nominated Colin Blazej.

- By unanimous voice vote, Colin Blazej was elected to a five-year term.

North Windham Cemetery Commission – Colin B. nominated Ralph Wyman.

- By unanimous voice vote, Ralph Wyman was elected to a five-year term.

Library Trustee – Maureen Bell nominated Eileen Widger.

- By unanimous voice vote, Eileen Widger was elected to a five-year term.

Article 4: Shall the voters authorize the Town Treasurer to collect current taxes?

Antje so moved, and Carolyn P. seconded.

- By voice vote, Article 4 was approved.

Article 5: Shall the voters set the due date for property taxes as postmarked on or before October 31, 2024?

Carolyn P. so moved, and Pat McLaine seconded.

- By voice vote, Article 5 was approved.

Article 6: Shall the voters authorize \$339,107 for the General Fund of which \$281,252 shall be raised by taxes and \$57,855 shall be applied from FY2023 budget surplus?

Antje so moved, and Carolyn approved. Phil McDuffie said a large amount of funding for this and other expenses is coming from last year's surplus, stating his concern that this was not so in the past and might not be true in the future. Kathy S. explained where some of the surplus has come from. George said that funds for the Fire Company had been increased to \$40,000 and were now in the General Fund (not as a separate article to approve).

Kermit Woods moved to amend the motion to include a raise in the salary of the selectpersons by \$1000, and Colin seconded it, adding \$3,000 to the General Fund total.

- By voice vote, the amendment was approved to raise the salaries for selectpersons from \$2500 to \$3500 each.
- By voice vote, Article 6 was approved, authorizing \$342,107 for the General Fund with \$284,252 from taxes and \$57,855 from last year's surplus.

Article 7: Shall the voters authorize Roads Budget expenditures of \$536,286 of which \$520,953 shall be raised by taxes and \$15,333 shall be applied from FY 2023 budget surplus?

George noted that there was a typographical error in the amounts given. Kathy J. moved to approve Article 7 with the total needed as \$537,286, with \$521,953 to be raised from taxes. George seconded it. Several people commented on the excellent condition of the roads.

- By voice vote, Article 7 was approved, authorizing \$537,286 for the Roads Budget with \$521,953 from taxes and \$15,333 from last year's surplus.

Article 8: Shall the voters appropriate \$180,703 for the New Road Machinery Fund of which \$72,000 shall be raised by taxes and \$108,703 will be applied from FY 2023 budget surplus?

Colin so moved, and Diane Newton seconded.

- By voice vote, Article 8 was approved.

Article 9: Shall the voters appropriate \$50,000 for Repaving and \$10,000 for Bridges and Large Structures?

John Hoover so moved, and David Cherry seconded.

- By voice vote, Article 9 was approved.

Article 10: Shall the voters appropriate \$10,000 for the Town Garage Maintenance & Improvement Fund?

Kathy S. so moved, and Bill Dunkel seconded.

- By voice vote, Article 10 was approved.

Article 11: Shall the voters appropriate \$10,000 for the Town Office Maintenance and Improvement Fund?

Kathy S. so moved, and Michael S. seconded.

- By voice vote, Article 11 was approved.

Article 12: Shall the voters appropriate \$10,000 for the Meeting House Maintenance and Improvement Fund?

Kathy S. so moved, and Joyce Cumming seconded.

- By voice vote, Article 12 was approved.

Article 13: Shall the voters close the Weatherization Fund and move the \$5,719 in that fund to the Meeting House M&I Fund for weatherization in that building?

Kathy S. so moved, and Bill D. seconded. Paul S. asked for a clarification, and Bill D. explained that funds for weatherization was needed for all town buildings but the need is now greatest for the Meeting House.

- By voice vote, Article 13 was approved.

Article 14: Shall the voters appropriate \$10,000 for the Town-wide Reappraisal of Properties?

John Hoover so moved, and Russell seconded. Russell explained that the state provides limited funds for this purpose, and the amount requested will be needed in the future.

- By voice vote, Article 14 was approved.

Article 15: Shall the voters transfer \$20,000 from 2023 surplus funds to be used for the NEMRC Fund for Accounting Software and Services?

Paul S. so moved, and David C. seconded.

- By voice vote, Article 15 was approved.

Article 16: Shall the voters transfer \$16,000 from 2023 surplus funds to be used for a professional audit of Windham financial accounts?

Pat M. so moved, and Joyce seconded. Pat said that our last audit was 12 years ago, and the VLCT recommends an audit every three years. An audit would also be good after our switch to the NEMRC system and with Kathy S's expected retirement. Kathy S. said she has already talked to an auditor, and the audit may start late this spring.

- By voice vote, Article 16 was approved.

Article 17: Shall the voters change the name of the Rainy Day Account to the Emergency Reserve Fund?

Kathy S. so moved, and Joe M. seconded.

- By voice vote, Article 17 was approved.

Article 18: Shall the voters transfer \$25,000 from 2023 surplus funds into the Rainy Day Account/ Emergency Reserve Fund?

Pat M so moved, and Kathy J. seconded.

- By voice vote, Article 18 was approved.

Article 19: Shall the voters appropriate \$8,535 for the following nonprofit organizations as recommended by the Windham Social Services Committee to be distributed as indicated:

Brattleboro Development Corp.	\$750	<i>new</i>
Collaborative	350	
Grace Cottage Family Health & Hospital	700	
Green Up Vermont	50	
Neighbors Pantry (Londonderry Food Shelf)	350	
Mountain Valley Medical Clinic	750	
Neighborhood Connections/General Support	1000	
Neighborhood Connections/Transportation	1000	<i>new</i>
Senior Solutions/General Support	250	
Senior Solutions/Meals on Wheels	300	<i>new</i>
SEVCA (SE VT Community Action)	325	
Townshend Community Food Shelf	350	<i>new</i>
Valley Cares Assisted Living	200	<i>new</i>
Vermont Fire Protection	100	<i>new</i>
Vermont Food Bank	200	<i>new</i>
Visiting Nurse VT/NH	860	
West River Community Project	250	
Windham County Humane Society	300	
Women's Freedom Center	450	

Pat so moved, and Barbara Jean Quinn seconded. George thanked the Social Services Committee, and he explained that the Brattleboro Development Corp. was added by the selectboard because of all the services they had provided Windham this past year.

- By voice vote, Article 19 was approved.

Article 20: Shall Windham prohibit the Constable of Windham from exercising any law enforcement authority? (Reference 24 V.S.A. § 1936a)

Russell so moved, and Dan Reilly seconded. Phil Mc. said he petitioned this article, due to his concerns about the current town constable carrying a fire arm and possibly causing liability problems for the town, and about the town possibly giving the constable law enforcement duties that would require sending the constable for costly trainings and require the town to purchase a police vehicle. Kord said that the constable could carry a fire arm and be covered by the town's liability insurance unless the constable stepped out of the line of duty. Kord explained that the selectboard never considered having the constable do anything more than issue traffic tickets to speeders, and the selectboard has since learned that the state defines the constable's duties, which do not include issuing tickets. Maureen B. read the state's list of constable duties, which include delivering legal documents, dealing with dogs, and other limited actions. Questions came up earlier during discussion of Article 21 about why the constable would need to have law enforcement duties when the sheriff could handle those duties. Kord said the sheriff's services are much more costly, and the selectboard had incorrectly believed that the constable could ticket speeders. Russ moved the question, and it was seconded.

- By voice vote, Article 20 was approved.

Article 23: To transact any other nonbinding business that may legally come before this meeting.

- Mike asked residents to support the efforts of Paul Wyman and Susan Persa to collect historic photos of Windham. Maureen said there are some photos already, but volunteers are needed to locate more.
- David Crittenden spoke about the expansion of Grace Cottage's campus with the addition of new buildings, due to break ground in 2025.

- Ellen said that dog owners can get rabies shots for their dogs at the Town Office on March 21, and she reminded people that they must register their dogs by April 1.
- Cathy Fales said \$85,000 has been received recently as the result of new grants for town services and buildings.
- Jan Wyman thanked Mike for his services as town moderator, and he received applause.
- Mac noted that the difficult discussions took place respectfully, and she thanked everyone for not putting up signs to influence voting, as that can elevate conflict.
- Paul thanked Bill Dunkel for taking the mic to all speakers throughout the day.

Adjourn Town Meeting

Pat moved to adjourn Town Meeting, and Dan Reilly seconded it. By voice vote, the meeting was adjourned at 5:52 PM.

Minutes respectfully taken by
Mary McCoy, selectboard clerk

*Town Meeting minutes were approved by that selectboard on March 18, 2024
School Meeting minutes were approved by the school board on April 10, 2024*