

Windham VT Selectboard Minutes
August 5, 2024
Held at the Windham Meeting House and on Zoom

Present at Town Office

Kord Scott, selectboard chair
Michael Pelton, selectboard
Richard Paré
Antje Ruppert (for Mary
McCoy (Mac, sb clerk)

Present on Zoon

George Dutton, selectboard
Michael Simonds
Kathy Scott, town treasurer
Cathy Fales
Ellen McDuffie
David Cherry
Imme Maurath
Catherine Stover
Tom & Louise Johnson

Gail Wyman
Abby Pelton
Joe & Sarah Adams
Phil McDuffie
Tom & Eileen Widger
Bill Dunkel
Maureen Bell
Crystal Corriveau
Barbara Jean Quinn
Dillon Lovell

1. Start Recording and Call to Order

Kord called the meeting to order and started the recording at 5:31pm.

2. Additions/deletions and/or changes to agenda – Kord: Item D) “Discuss state info on diversity and inclusion with Bob Harnish” under New Business was tabled to Sept. 16, 2024

3. Announcements and reminders – Kord announced that Antje Ruppert is sitting in for Mac to do the minutes, and that due to her work load after just returning from Europe will provide the minutes over the following weekend. Kord also thanked Phil and Ellen McDuffie for organizing and running the recent BCA hearing.

4. Act on the minutes from the meeting on 7/15/2024 – Michael Pelton **moved** to approve the minutes. The motion passed unanimously.

5. Public Comments – Michael Pelton thanked the Historical Society and the WCO for the Ice Cream Social.

6. Correspondence – Kord: There have been several emails back and forth with Phil McDuffie and Frank Seawright about the GIS (Global Information System) training and Frank offered to help with that and system programming.

7. Payroll/Bills – George **moved** to approve the bills and pay orders. The motion passed unanimously.

8) Guest and Staff Reports with Discussion and Possible Decision

A) Welcome truck vendors, open bids for new truck – **Kord:** Two quotes/offers from ATG PATRIOT LLC, and one from REED TRUCK SERVICES were received and Richard will review them and report back at the next meeting.

B) Treasurer – Kathy: The education tax rate was received from the State last Thursday afternoon and the taxes were calculated on Friday morning. The selectboard and the listers now need to sign off on them so that tax bills can be printed. The CLA is at 1.09%, the

homestead education tax rate is \$1.54 per 100, the non-homestead tax rate \$1.27 per 100, and the **municipal tax rate is \$0.34 per 100**. These numbers are lower than last year's, but taxes have gone up substantially due to the reappraisal. Tax bills should go out by mid to end of this week. The town will have to raise approximately \$500,000 more over last year.

Kord reached out to the attorney Bob Fisher to see if there is an option for the SB to not sign off on the tax rates or not approve them this evening, but there is nothing the SB can do.

Kathy: The only control the town has is over the municipal portion. All the other rates are set by the State.

Kord suggested the town petition together and go to the State to affect changes to the education funding formula.

Crystal had a question about Lyndon Corriveau's property. Kathy offered to speak with Crystal since his heirs are certainly entitled to all information regarding that property.

Imme asked if the State will adjust the pre-calculated rebates based on the Homestead Declarations. Kathy encouraged everyone with questions to contact the State of Vermont's tax advocate and suggested that Ellen send out an email with the contact information.

Catherine Stover noted that second homeowners still pay less tax than residents and that this needs to be addressed.

Maureen Bell asked Kathy if the municipal rate of \$0.34 also included a highway rate. Last year's rate was \$0.8289, so perhaps the highway rate was not included?

Kathy responded that the rate for roads and bridges is \$0.3841 and \$0.1867 for general funds, and \$0.003 for the so-called local agreement, which Kathy is quite unclear about. So, the actual rate is \$0.5708. Compared to last year, the rates are much lower and yet the taxes have gone up substantially.

Kord noted that others are contacting Jill Remick, director of Property Valuation and Review, with similar issues, and that it would be good to come up with ideas to approach the State, perhaps together with other towns. For now, the SB needs to approve the State's tax rates and the town needs to send out tax bills. Michael Pelton **moved** to accept the tax rate as prepared. The motion passed unanimously.

C) Roads – Richard (update on roads, W. Windham damages/FEMA & Everett; right-of-way regs) Richard reported that the road progress is going well, and that Ingalls Rd. was completed that day. A few culverts were done as well and 2 more are left to complete, hopefully by the end of the week. A project on White Rd. being put together for another grant.

D) Meeting House Committee – Maureen (update on recent committee meeting, kitchen fire extinguisher) Maureen reported that a couple of meetings ago the committee discussed how to organize and celebrate the 225th anniversary of the building. A big gala with the congressional delegation and big ticket kinds of things were suggested, but the committee felt it was too overwhelming to take on such an endeavor. If anyone were interested in organizing it, the Meeting House Committee would help.

The kitchen fire extinguisher was replaced and all is in good order.

Kord noted that the anniversary and trying to find people who are interested in organizing an event for it should be followed up on.

E) Grant strategist – Cathy Edgerly Fales (update on grants, exhaust hood status) Cathy spoke with Katie Buckley and Bonnie Waninger at the Vermont League of Cities and Towns (VLCT) to make sure that the town had covered all the available grants and she put her in touch with the Thompson Foundation in Brattleboro, the Vermont Community Foundation, and the Windham Foundation. She has also been in contact with the Windham Regional

Commission about an energy grant and met with the Energy Committee about it too, but does not believe that a need for \$50,000 or more could be put together. She would, however, meet once again with the Windham Regional Commission the following day.

The fire marshal is scheduled to come on August 7 to do a final occupancy count and evaluation for the upstairs and downstairs of the Meeting House. A buyer for the old hood will need to be found, and Cathy offered to store it in a shed on her property if George needs to get his trailer back. Richard might also find room in the Town Shed for the hood.

F) Grant Administrator – Imme (Better Roads/GIA grants-old & 8/1 award, Hazart Mit Grant due 8/17) Imme noted that Richard had covered most of the topic. He has taken care of the Better Roads Grant on Ingalls Rd. Two grants in connection with last year's July storm and flood were extended, and Imme noted that they need to be done by September 30. She also applied for the Hazard Migration Grant and went to a meeting about this the previous Thursday. It was extended to August 30 and Everett had already put it all together. The reimbursement from FEMA is still outstanding.

G) Town Clerk – Ellen McDuffie (update on 8/13 primary, Labor Dept. statistics, BCA hearing) Ellen reminded everyone about the Primary on August 13 at the Meeting House from 10am to 7pm. So far she had only received 12 absentee votes of 326. Absentee ballots can be dropped off at the drop box by the Town Office until 6pm or they can be brought to the Meeting House til 7pm.

Ellen then noted that the US Labor Department wants a change in the employee statistics report. So Kathy will provide Ellen with a monthly report on who got paid and that report will be sent to the Labor Department.

The BCA hearing results are in the process of being written up and will be sent to the appellant by certified mail later this week.

Imme asked if the November election could be held at the Town Office due to the conflict with the Window Dresser build.

H) Planning Commission/Energy Committee – Bill Dunkel (updates on zoning regs, Window Dressers) Bill had met in the afternoon with Matt Donaldson, a local contractor for George Wichelns who bought the house at the intersection of Windham Hill Rd. and Chase Rd. in the historic district. Mr. Wichelns wants to take down the old barn on his property and rebuild it in the style that would harmonize with the historic district. After that he'd like to renovate the original house as well. The Windham Zoning Regulations say that in a historic district any alteration to an existing structure or any new construction needs to be approved by the Zoning Board of Adjustment, so we will have to have a ZBA hearing, hopefully later this month or in early September.

With regard to the Energy Committee, another Window Dresser storm window insert build is scheduled for the first week in November, but there is a conflict with Election Day. The school may be an alternative setting and Bill and Tom Johnson met with Dan Roth there the previous week. However, the school board would require rent payment for the facility which is calculated in the school budget.

I) Website Manager – Bea Eliastam (update on website development/outreach to town chairs) Tabled for next meeting.

New Business

A) Set date for first meeting in September (first Monday is Labor Day) – George suggested scheduling the meeting on Tuesday after Labor Day, same time, same place and all agreed.

B) Update on the search for new lister and new town treasurer – Kord: Ron Cohen is apparently going to resign from his position as lister, but the SB has not yet received an official notice. Kathy will not be running for re-election as the town's treasurer. Kord asked everyone to spread the word to fill these positions while the town is investing in training.

C) Discuss Joe Adams Wheeler Rd. right-of-way access permit request – Kord introduced Joe & Sarah Adams who bought the DiStefano property on Wheeler Rd. and would like to run power from a pole about 30 feet up Wheeler Road from their property corner, but do not want to impact John Boynton's property. There is an approx. 6 foot flat patch of grass off the side of the road without a culvert where they are hoping to run their power line. A conversation with Green Mountain Power revealed that they are leaving it up to the town to determine the feasibility. Kord suggested a meeting with the owner, the contractor, Richard, and Bob Kehoe who is currently on vacation. Michael Pelton's concern was a serious wash-out from a storm that could expose the underground power conduit.

In addition, Bill Dunkel noted that Joe & Sarah contact John Duprasse at Trinity Engineering, the company that conducted an engineering study on the parcel, to see about meeting the development requirements on steep slopes. Bill agreed to provide Joe & Sarah with the contact information and the study documentation.

D) Discuss state info on diversity and inclusion – Bob Harnish Tabled until Sept. 16, 2024

E) Discuss blasting at site of house construction – Michael Pelton There are currently no zoning regulations that require a permit process for the use of explosives for demolition. Such a regulation could be added that would require that neighbors are informed in such a case and it could be added to the permit process. Michael Simonds read a report from a construction site in which he suggested that the town require notice to the neighbors when blasting is to occur. Phil McDuffie voiced concern shockwaves through adjacent properties that could damage septic tanks and foundations. And given the increasing density in town this could become a problem. Bill Dunkel agreed to put this issue on the agenda for the upcoming Planning Commission meeting.

F) Discuss School Zone speed limit – Kord has had several people ask if the school speed limit signs could be taken down. A speed limit change would require traffic studies and a public hearing.

G) Discuss changes to animal control laws – Kord Tabled for now

10. Old Business

A) Discuss letter for Frendly Gathering – Kord noted that a letter of approval from the town of Windham to the Public Service Department or the Department of Public Safety will need to be drafted by the town's attorney because the event will be held on private property over which the SB does not have any authority. Dillon responded that such a letter of approval

from the SB or town manager would be required to obtain a Commercial Assembly permit through the State of Vermont Department of Public Safety since the event will have 2,000 or more people attending. Kord asked that Dillon sent him the information he received from the State.

George requested that Dillon's crew put up 'no parking' signs within a reasonable distance of the festival grounds.

Dillon noted that trying to get permission from the Department of Transportation to close the road right in front of the lodge for emergency vehicles, production crews, and artist loading in and out he was told that this is not a state road but a town road and he'd need permission from the town. Kord informed Dillon that it is actually a private road and that he would have to contact the Timberside Association. Maureen told Dillon to get in touch with Tim or Kevin. George requested that the Planning Commission take up the idea of permitting events like that, because frequent consultations with the attorney are costly for the town. It is also important that the town is not held liable if something were to go wrong if the SB issues a letter of approval.

B) Update on RT 121 project status – Kord The easements have gone through. So now it's back to the engineers again to finalize the design that'll go out for bids, with the idea that it can be done in next year's construction season. Bid packets should go out for bidding in January or February 2025.

C) Discuss constable qualifications, duties, and compensation – Michael and Phil had reached out to the VLCT and received a 10-page document which Michael paired down to 5 pages because the town of Windham had voted that the constable should not have law enforcement functions. Phil remarked that there are state-mandated limitations on a town regarding permitted constable duties. For example, they could help the health officer and assist the animal control officer in some ways. Phil agreed to help draft a job description together with Michael.

11. Adjourn regular meeting & stop recording.

George **moved** to adjourn at 7:36pm. The motion passed unanimously.

**The next Regular Selectboard Meeting is scheduled for
Monday, August 19, 2024 at 5:30pm**

Respectfully submitted,
Antje Ruppert
(for Mary McCoy (Mac), selectboard clerk)
Approved August 26, 2024