

**Windham VT Selectboard Minutes
January 13, 2024 Special Meeting
Held at the Meeting House and on Zoom**

Present at the Meeting House

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

Present on Zoom

George Dutton, selectboard	Ron Philips
Bob Fisher, town attorney	Jack Beusmans
Imme & Steve Maurath	Pat Cherry
Crystal Corriveau	Cathy Edgerly Fales
Jim McCandless	Abby Pelton
Tom & Eileen Widger	Barbara Jean Quinn
Maureen Bell	Ellen McDuffie
Cathy Stover	Frank Seawright
	Phil McDuffie

1. Start Recording and Call to Order -- Kord called the meeting to order and started the recording at 5:31 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 January 6, 2024 selectboard meeting

Motion: To approve the January 6, 2025 selectboard minutes; Michael moved, and he and Kord agreed. (George arrived later, due to vehicle trouble.)

5. Public Comments – There were no public comments.

6. Correspondence – An email was received from Frank Seawright regarding environmental issues on Imerys' property. An email was received from Cynthia Stoddard of NEMRC who said we needed a policy for the Town Office.

7. Payroll/Bills

Motion: To approve the check warrant reports from the town treasurer. Michael moved, and Kord agreed. Kord will sign these.

Due to George delayed arrival, the meeting jumped ahead to Other Business.

9 A) Formalize Selectboard approval of 121 Culvert Construction Inspection Contract Award – Kord reported that he, Imme, Richard Pare, Margo Ghia from the WRC, and Peter Pochop from VTrans met and reviewed the bids, as required. Two bids were received in response to the RFP, from D&K and GPI. They responded to five questions related to their qualifications. D&K scored 95, and GPI scored 97.5. D&K's bid was for \$117,882, and GPI's was \$33,000. D&K anticipated needing 13 weeks for the job, a longer time than GPI.

Motion: To approve the bid of GPI and award the contract to them. Michael moved, and Kord agreed.

8. 2025 Budget/Article/Warning planning – It was decided to go ahead with this work, as Bob Fisher's time was limited, and his input was crucial. George arrived on Zoom, not long after.

- Changing the structure of the Listers: Bob said the three-person structure we have now can be altered if the selectboard instead hires a certified appraiser or if we have an elected lister who can be qualified by PVR as a certified assessor. The elected worker would do the prep work for the certified assessor. Kord said we need to keep our current structure until we have

someone who is certified. There was no disagreement on this, and there will be no article related to the listers on the Warning for Town Meeting.

- Hiring someone who doesn't live in Windham – Bob said the selectboard has the authority to fill a vacancy with someone who does not live in Windham if there is no one elected to the position. That holds only until the next election. However, if the position is appointed and not elected, the selectboard can hire someone from out of town.
- Turning elected positions into appointed positions – If a position changes from elected to appointed, a town vote is required. Similarly, a town vote is required to change it back from appointed to elected. It was agreed that we cannot make a change this year, but we can ask voters for their opinions by means of a straw vote at Town Meeting and a poll among those who vote for officers via Australian ballot and do not attend Town Meeting. It was agreed to take no action on this now, but to wait and see if we elect people to all of the positions.
- Responding if an unqualified person is elected to a position – Bob said the usual way to remove someone is to not reelect them when their term is up. There is also a state statute that allows a town to vote to make some positions appointed. The town then has 45 days after that vote to replace the person who was elected to the position. Conceivably, someone who is unqualified could be elected on the same day that the town votes to make the position an appointed one. The elected person would then be in office no more than 45 days. Other options that would be less confrontational would be to hire extra support for the unqualified person by providing a qualified assistant or a professional service such as NEMRC. This would involve extra expense that was not budgeted. Bob said in the 15 towns he represents, there is a trend to appoint listers and auditors, and less so for clerks and treasurers.
- Conclusions: The selectboard members agreed that they did not want to include in the Warning for this year's Town Meeting any articles related to changing the Town Clerk and Town Treasurer positions from elected to appointed, nor would there be any articles about permitting the Town Clerk and the Town Treasurer to live in a town other than Windham, regardless of whether they were elected or appointed
- Other Articles: Bob advised that if we want to move money into a new designated fund, two articles are needed, one to create the fund, and the other to approve a dollar amount to put into the fund. Similarly, if we want to close a designated fund, the voters need to approve closing the fund. The dollars would then go into the General Fund.

Regarding an article to offer health insurance, Bob said the selectboard has the authority to determine benefits for employees. An article about providing health insurance should be advisory and not conclusive. It was agreed by the selectboard members to place the articles regarding health insurance in the Warning before the vote on the General Fund. If those articles pass, then the funds for health insurance would be added to the total being asked for the General Fund. That amount for health insurance is \$32,088.

Bob said the wording of the article on funding the Windham Schoolhouse was good.

Barbara Jean reported that the Social Services Committee is meeting that coming Wednesday to determine which organizations to fund.

There was a brief discussion about combining the Town Clerk and Town Treasurer positions, and it was explained that someone could be elected to both positions, but the selectboard doesn't have to authority to combine them.

Bob was thanked for his help before he left for another meeting.

Attention was turned next to fiscal matters and the budgets to be presented at Town Meeting.

- Michael reported that Cynthia Stoddard from NEMRC who is providing support for the budgetary process, feels comfortable with the latest/final changes to the budgets for the General Fund, the Roads Fund, and various designated funds.
- Cynthia recommended using some of the revenues and surplus to offset taxes that need to be raised, but to move away from using surplus funds, as that in an inefficient way to keep the books. For 2025, she recommended using no more than \$100,000 from surplus for Road Equipment and no more than \$107,000 for General Fund electives/designated funds.
- Cynthia has asked that anyone with questions contact her.
- The amount needed if we provide health insurance for the Town Clerk and Town Treasurer is \$32,080.
- The tax rate will be reduced. In 2024 it was .5708, and in 2025, it will be .5228.
- **Motion:** To approve \$390,822.86 for the General Fund of which \$294,822 will be from taxes, and \$96,000 from 2025 revenues, with the caveat that \$32,088 will now be removed from the General Fund budget, and it may or may not be added back to that budget, based upon the vote at Town Meeting about offering health insurance to the Town Clerk and Town Treasurer. Michael moved, and all agreed.
- **Motion:** To approve \$584,821 for the Roads Budget of which \$494,821 will be from taxes and \$90,000 will be from 2025 revenues. Michael moved, and all agreed.
- **Motion:** To approve the articles for the Warning as presented at this meeting after changing the request for Emergency Communications to make it two articles, one to establish the fund and one to put money into it, and with the understanding that the selectboard may make additional changes if needed. Michael moved, and all agreed.
- There was some discussion about having a forum for the candidates for offices. Phil said these are not required by law. If there are candidates for Town Clerk and Town Treasurer, a forum for them to state their qualifications and answer questions would be good. The Windham Community Organization has hosted these in the past, and Ellen said they would do that again.

9. Other Business (continued)

B) Update on delinquent tax follow-ups – Kord reported that the letters have gone out to those who have not paid their property taxes.

C) Update of Friendly Gathering – A meeting has been scheduled with key people from the Friendly Gathering, Bob Fisher, Bill Dunkle (Planning Commission chair), Will Goodwin (zoning administrator), folks from Timber Ridge, and Kord. Kord asked Michael and George if they wanted to attend, in which case he would warn it as a selectboard meeting. But neither Michael nor George could attend. A conditional use permit approved by the Zoning Board of Adjustment may be needed for the Friendly Gathering to take place. Kord noted that the Friendly Gathering people were proactive, coming to the selectboard about needed approvals.

D) Update on Imerys land offer – Imerys wants to end their required maintenance of a siphon from their former talc mine because they are in bankruptcy and plan to dissolve their business. They have offered to give/sell the land to the town but that would mean the town would be responsible for maintaining the siphon system. This issue needs to

stay on the agenda until resolved. Cathy reached out again to the Windham Regional Commission about their role in evaluating the land, but she hasn't heard back. Kord said Bob told him we need to understand the environmental situation based on assessments, which we are getting. Imme, Steve, and Jim asked to receive all information regarding this issue, as they live near the site. Imme is also the Emergency Management coordinator.

Frank had comments that were not totally understood, as his voice was very loud and distorted. It had something to do with the town's need to take action, no matter what the assessments of the land reveal. Jim said the current siphon system seems to work, but he's concerned about the future controls. He will send the selectboard information he has about the system. Michael said the use of the grounds may need to be restricted. There are three species there that need to be protected. One of them is endangered. Frank spoke again. It seemed he was suggesting that the U.S. Fish and Wildlife Dept. might want to add this to the land they are preserving.

10) Adjourn special meeting and stop recording.

Motion: To adjourn the meeting at 7:17 PM. George moved, and all agreed.

**The next Regular Meeting is scheduled for
Monday, January 20, 2025 at 5:30 PM**

Respectfully submitted,
Mary McCoy (Mac), selectboard clerk
Approved January 20, 2025