



**Town of Whitingham
Office of the Selectboard**

MINUTES OF FEBRUARY 13, 2019

These Minutes shall be accepted into the public record (with any corrections noted) at a future meeting of the Whitingham Selectboard.

The Whitingham Selectboard held a regular meeting on Wednesday, February 13, 2019 at 7:30PM in the Selectboard Office of the Municipal Center, 2948 VT Route 100, Jacksonville, VT.

Selectboard members present: Greg Brown, Vice Chair; and Robin Kingsley. Keith Bronson, Chair, attended via Skype. Karl Twitchell stopped in briefly before the meeting and resigned from the Selectboard effective immediately.

Others present: Gig Zboray, Selectboard Office Administrator; Almira Aekus, Treasurer; Listers: Wayne Wood and Jenepher Burnell; Brian DeCesare of Green Mountain Appraisers; Wayne Corse, resident; Stanley Janovsky, Jr., Road Commissioner.

Call to Order. Additions or Changes to Agenda

Greg Brown called the meeting to order at 7:30PM. There were no changes or additions to the agenda.

Hearing of Visitors none

Discuss professional assessor services

Brian DeCesare of Green Mountain Appraisers (GMA) came to the table with the Listers. He proposes to work with us on our short-term needs (appeals) and over the next 5 years work on developing the sales model and update the information so that we would be ready to do a full reappraisal. He would create a new sales data base with models covering all the different categories. He would work one day per week except in hearing periods, which would require more time to handle the appeals. Greg Brown questioned if after 5 years would the cost level off or go down? Mr. DeCesare answered that if we had an interested administrator who is capable of the work and to learn the skills it would lower the cost. Building sales models is difficult in small towns, a lot of our comparison sales would come from Wilmington, Marlboro, Halifax, parts of East Dover, and Newfane. The more data in the program the better it works. That was his plan, he is sure something different could be done if that is what we want.

Greg Brown asked if Brian DeCesare felt a Board a Listers would be more valuable to apply the work that GMA would do. Mr. DeCesare answered that the wave seems to be that more towns are hiring professional Assessors, it is two distinct jobs – Listers (or an Administrator/Clerk) would be in the office to handle the day to day questions and collect information that the assessor would need.

Keith Bronson asked if in 5 years we would definitely be conducting a reappraisal. Mr. DeCesare answered that it is quite possible. It is important to update all the properties in the town. If the equalization numbers indicate it is time for reappraisal it would just be a matter of bringing our models up to date. Two years ago, the town did a statistical update. Keith Bronson asked if the amount Mr. DeCesare gave us was an estimate or a solid price. Mr. DeCesare answered that it depends on the goals/scope of the assignment. The first thing he would suggest is getting the software in place and have all the information transferred over. Also get set up enough to address the appeals that might come in this season. Then in June, sit down and figure out who will be the administrator, will that person go out and do property inspections. Brian would train that person in how to collect information and put it into the computer. Brian's job is to build the models.

Greg Brown noted that we would need to figure out the scope of our needs before we put this out to bid.

Keith Bronson asked what GMA's timeframe is. Mr. DeCesare responded that they would "tiptoe in" in the next three months, he couldn't dive in until after that. Almira asked if we had gotten a price on the ProVal software yet. Brian said it is about \$10,000 for the software and bringing all the data over and possibly bringing new sketches in. She also asked if some of the reevaluation funds the town receives from the state could be used toward his invoices. Brian could not answer that question.

Jenepher Burnell asked if the "one day a week" mentioned was his time or the local Administrator. Mr. DeCesare answered that it was his time.

Greg Brown discussed the Lister budget, questioning if this transition is approved at town meeting and we started the process before the new fiscal year, is there money available. Jenepher Burnell indicated that lately she has been out of touch with the Listers office and has not looked at the status of the budget lately and doesn't know where it stands at this time.

Mr. DeCesare noted that the software can be pretty incredible, it has tremendous capabilities, if it is fed the correct information. Jenepher Burnell noted that she uses the ProVal software in Brattleboro and she likes it.

Mr. DeCesare noted that even if we go a different route, he would be happy to help us.

Discuss letter received from Waterbury & Strafford re: gas tax

The Selectboard received a letter signed jointly by members of the Waterbury and Strafford Selectboards about a proposal being contemplated that would increase the taxes on gasoline and diesel fuel by 4 cents per gallon. It appears such a tax could raise more than \$10 million annually. The proposal is that the funds would be distributed to towns through the formula which distributes state aid to highways. As such, this revenue would not fund a grant program, but would make more "unrestricted" dollars available to municipal highway budgets. If this proposal goes through it might be necessary for municipalities to file a report with VTrans each year showing how the money was spent.

They are asking that if we believe more funding is needed to address failing highway infrastructure and we would like additional funds; to send an email to the two men who sent us the letter and to contact our state representatives, state senators and the chairs of the House and Senate Transportation Committees.

Stanley Janovsky, Jr. noted that the town would not pay the gas tax (municipalities are tax exempt). Greg Brown noted that our residents who may be driving 30 or more miles to work might hope that they have to drive to another state to get their gas.

Keith Bronson is opposed to any gas tax. He understands this is to go to roads but that is the state's obligation to begin with, once we have a gas tax then comes the carbon tax. Greg Brown noted that this tax would benefit municipal roads, but the state roads are so bad you can't get to the municipalities. Greg Brown would be in favor of the state figuring a way to fund the state highways and bring them back to an acceptable level. Right now, Greg doesn't feel that the local tax burden isn't so bad, it's the school side that is a burden. Stanley Janovsky, Jr. said there is a graph and map on the AOT website that shows where AOT plans projects in the next few years. There are not many projects in southern Vermont, no paving is planned. There are a lot of "dots" in the Burlington area where projects are planned. The only dot in this area is the Readsboro bridge.

Gig asked if the board wanted to prepare any response. Keith Bronson said that he doesn't feel pushing this topic is a Selectboard's job, the legislature should do it. He would need more information. Greg Brown would like to know their definition of infrastructure rehab.

Greg Brown suggested that we send a response saying we reviewed the letter, we would like more information to clarify what their intentions are, and ask what are other towns responses.

Health Officer-junk complaint

Several complaints were received in the Selectboard Office about junk being piled on property located at 7849 VT Route 100 in Whitingham. The Junk Ordinance mainly addresses motor vehicles – removal or screening. There is quite a lot of other junk (kids' plastic toys, wheels, tools, etc.), there doesn't appear to be any household garbage that would attract vermin and birds. Gig drafted a letter, as Health Officer, to state that we received several complaints, please clean it up or put up a fence within thirty days. If there is no response to that letter than the Selectboard can write a more aggressive letter. If no response to the Selectboard letter, then we would have to get the Agency of Transportation and the town attorney involved. **Greg Brown made a motion for Gig to send the letter as drafted, seconded by Robin Kingsley, all in favor with Keith Bronson casting his vote.**

Sewer Department

The preliminary engineering report was due in mid to late January. We received an email from Shane Mullen that it is delayed because they are still working on fleshing out the alternatives analysis and preparing their opinions of cost. The report should be ready for our review by the end of February.

Transfer Station none

Education Funding Litigation Gig confirmed that the attorneys will be at town meeting, they would like to be introduced right at 10am if possible. Almira Aekus suggested that a limit of time be imposed, last year an hour and a half was spent on the topic. Greg Brown suggested we talk with the moderator. Keith Bronson said it would be up to the taxpayers too.

Approval of Payables Warrant – February 14, 2019

Keith Bronson questioned a payment to Suburban Propane. Gig answered that it was for the firehouse generator; that tank had not been filled since 2014. He also questioned what USA Blue Book was. Gig answered that it was a textbook for Jennifer Herzig for obtaining her sewer license. **A motion was made by Robin Kingsley to approve Payables Warrant W1934 dated February 14, 2019, seconded by Greg Brown, all in favor with Keith Bronson casting his vote.**

Approval of Payroll Warrant – February 14, 2019

A motion was made by Robin Kingsley to approve Payroll Warrant W1933 dated February 14, 2019, seconded by Greg Brown, all in favor with Keith Bronson casting his vote.

Approval of Minutes of January 30 , 2019

A motion was made by Keith Bronson to accept the Minutes of January 30, 2019 as written, seconded by Robin Kingsley, all in favor with Keith Bronson casting his vote.

Other business / Office Administrator – as needed

Website - the new town website launched on February 7, 2019, only positive responses so far.

Town Report – has been proofread by many and is now being published in house by Gig.

Address questions that have come before the Selectboard Office:

Purchasing Policy/loader purchase It was brought to Gig's attention that the purchase of a loader recommended by the Road Commissioner on November 7, 2018 did not follow the Whitingham Purchasing Policy which was adopted by the Selectboard on March 28, 2018. Stanley Janovsky, Jr. came to the table. He explained that he came to the Selectboard in August and informed them that the Loader needed to be replaced and it should be done before there is no trade-in value left in it. The cab area was in rough shape; the roll-over protection unsafe. John Deere gave Stan a verbal estimate that it would be \$70,000 to replace the cab, if they could find one. The board told him to go ahead and start researching a new purchase.

Stan called several dealers, he did not call John Deere, he did not want a John Deere, he has had many issues in the past. He called Komatsu, Caterpillar and Volvo. Cat and Volvo did not return his phone calls. Komatsu returned the call and offered an on-site trial period of a couple weeks. The road crew all agreed that the hydro-static was a good

system and the traction was unbelievable. Stan then talked to other towns about the equipment that they had and found out what issues they had with their equipment. He went up to Wilmington and used their Case loader, it seemed like a nice loader to him but there were a few things about it he didn't like.

Based on the information that Stanley Janovsky, Jr. found and his 21 years of experience in the highway department and 15 years' experience as the Road Commissioner he recommended the purchase of the Komatsu loader and the Selectboard approved it.

Wayne Corse said he personally has worked with three John Deere loaders that have more hours on it than ours, he has never had any issues. He noted that he feels this is a direct violation of the Purchasing Policy. The Board has a financial responsibility to the taxpayers. Greg Brown responded that there is a sole source clause in the purchasing policy. His interpretation is that based on the due diligence of the Road Commissioner, and his informed choice was to go with Komatsu, how could we get two bids from Komatsu? Mr. Corse did not agree, he feels it is a violation of the purchasing policy. "So noted", responded Mr. Brown.

Sadawga Lake new building- Gig issued a zoning permit in 2017 to remove a camp and rebuild a single-family home on the *exact same footprint*. The new house was recently delivered, it is not on the same footprint. Gig notified Shoreland Protection about the project and contacted the engineer. Right now, the project is going through Shorelands review. There will be a public comment period and Gig is to be notified when that starts. Greg Brown noted that if Shorelands is OK with the placement we still have a violation of a local permit. Gig responded, yes, it's another issue of issuing fines that are difficult to collect. After Shoreland review, if they don't make the applicant move the building then she would meet with the Planning Commission, Zoning Board of Adjustment and the Selectboard to address the next steps to correct the issue. Keith Bronson noted that no one likes the looks of the new building, perhaps we should rewrite the Zoning Regulation to have an architectural control committee. He would be surprised if we could find even three people to serve on such a committee. Gig questioned if the Selectboard would like her to move this violation forward now or wait for the Shorelands response. It's possible that Shorelands would make them relocate the building and that would save the town money. The Selectboard agreed to wait.

Remarks against another board A complaint was received that "disparaging remarks" were made against another board. Gig understood that to be in reference to the Sewer Commission. She doesn't feel that any negative remarks were ever made by the Selectboard besides noting the fact that it is hard for the Sewer Commissioners to run the sewer department only meeting one hour per month, especially after the shut-down order. Greg Brown noted that he was the only one who went down to the sewer department when the cease and desist order came from the state. He has not heard one complaint from a sewer commissioner that they were decommissioned. Keith Bronson questioned how many years the Selectboard had been asking the sewer commission when things were going to change (rates and increasing the capital reserves fund).

Gig's salary, hours and job description were questioned Gig informed the board that she was asked for her hours, job description and salary in such a way that made her uncomfortable, she had never had any disciplinary action against her nor any complaints. Greg Brown noted that it is public information. Gig replied that it was the way in which it was asked that made her feel uncomfortable. Mr. Corse responded that he was having a personal conversation with Gig, he was just curious, he didn't mean to make her feel uncomfortable.

Selectboard pay was noted to be too much Keith responded "obviously, I'm in Florida", then seriously noted that it should be brought up at Town Meeting. Greg Brown said that the issue can be addressed at Town Meeting and let the voters decide what the pay should be.

Adjourn

A motion to adjourn was made by Greg Brown, seconded by Keith Bronson, all in favor.

Greg Brown adjourned the meeting at 8:34pm.

Respectfully submitted,
~Gig Zboray