



**Town of Whitingham  
Office of the Selectboard**

**MINUTES OF APRIL 24, 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, April 24, 2019 at 6:30pm in the Selectboard Office of the Municipal Center, 2948 VT Route 100, Jacksonville, VT.

Selectboard members present: Robin Kingsley, Wayne Corse, and Wayne Wood.

Others present: Gig Zboray, Selectboard Office Administrator; Almira Aekus, Town Clerk; Stanley Janovsky, Road Commissioner; Maryann Cheveralls, Library Trustee; Kristine Sweeter, Librarian; Gretchen Havreluk, EDG. Residents: Craig Hammer, Laurie Brown, Greg Brown, Scott Reed, and Marshall Dix. Mike Eldred, Deerfield Valley News.

**Call to Order. Additions or Changes to Agenda**

Robin Kingsley called the meeting to order at 6:29pm. There were no additions or changes to the agenda. (Late in the meeting Robin Kingsley noted that the date on the agenda for payables and payroll is listed as April 11<sup>th</sup> but the correct date is April 25<sup>th</sup>. The Minutes to approve were for April 10<sup>th</sup>, not March 27.)

**Hearing of visitors (for concerns not on the agenda)** none

**Review and adopt Local Emergency Management Plan**

In prior years we had to annually adopt a document called the Local Emergency Operations Plan (LEOP). This year the formatting has been changed and it is now called a Local Emergency Management Plan (LEMP). In following years if there are no significant changes to the plan, we only have to submit a cover letter rather than re-do the whole plan. This plan has been reviewed by Wayne Wood, Emergency Management Director. **A motion was made by Wayne Wood to adopt the 2019 Local Emergency Management Plan, seconded by Robin Kingsley**, Mr. Corse suggested that the name Craig Hammer be removed as Selectboard member, **Mr. Wood changed his motion to include the removal of Craig Hammer's name, all in favor with Robin Kingsley casting his vote.**

**Sewer Department, new connection and media strapping**

Brad Lackey called Gig and asked about hooking up to the Whitingham Sewer Plant. Because the plant is at about 50% capacity and in decent shape at this time Gig advised him it would probably be approved. Mr. Lackey had questioned about how to get the process going and what the fees were. Gig contacted Dave DiCantio and asked him to call Mr. Lackey. In a few weeks we should probably hear more about this.

The media at the Jacksonville Plant has been sloughed off and restrapped. Dave DiCantio feels both were great improvements. He doesn't advise contacting the state about the media problems at this time. Selectboard members agreed that we should hold off on the draft letter that the engineers wrote until the situation is really bad.

## **Education Funding Litigation, if any** none

### **Listers, update Clerk's title and information on website, adding Lister Cards to website**

At the April 10, 2019 meeting the Selectboard appointed Howard Dix as Lister's Clerk. Almira Aekus feels that might not be an appropriate title because at Town Meeting 2019 the town voted to eliminate the office of "Town Lister". The town website still has a town department called "Listers" and the description says "Listers are responsible for appraising property values for the purpose of property tax assessment". After discussion it was decided that for now, we will leave it be.

Almira contacted NEMRC and found that adding a link on the town website to the Lister Cards will cost \$500 per year. **A motion was made by Wayne Corse to add the Lister Cards to the town website to promote Economic Development, not to exceed \$500, seconded by Wayne Wood, all in favor with Robin Kingsley casting his vote.**

### **Transfer Station, if any**

Our first in-house Household Hazardous Waste event will be run by Wayne Wood on Thursday, May 2<sup>nd</sup>. Gig spoke with Jennifer Herzig, Transfer Station Attendant, and Jen doesn't feel that any additional help will be needed.

The ANR has put out a draft 2019 Material Management Plan (MMP). Gig attended a webinar about some of the changes in the plan and found the following: survey requirement changes from 2 during the 5 year SWIP term to 1 in year 5; business outreach may require some "in-person" contact; town might have to purchase one set of bins for recycling, compost, trash for people to borrow and use at events (during the webinar there was much discussion about this and the requirement might change in the final document); we were required to conduct "multi-media" campaigns, the new requirement will be to have a very good A-Z Guide that is readily available to residents (ours is already good and available); HHW requirement reduced from 4 events to 2 events per year; the state DEC will hold regional public meetings to discuss beneficial use of biosolids and septage rather than have waste districts try to figure it out on their own. Gig will read through the entire MMP and send in her comments and suggestions to the ANR.

Mr. Brown wanted to clarify a comment that came up at Meet the Candidates Night regarding food scrap collection and the price set at \$10 per gallon which was set in an effort to discourage people from bringing it to the transfer station because as a rural area folks have the option to compost in their backyard. The cost to haul the compost away was \$95 per week and we would probably collect very little or no compost for such a large expense. Our waste goes to an incinerator, not the land fill. The law was created to reduce items going in the landfill. We are in compliance with the law.

### **Highway Department/EDG discuss culvert at Municipal Center and sidewalks**

We received feedback from VTrans about why we did not win grant funding to replace the culvert. They felt a scoping study was necessary. Gig copied sections of the River Corridor Plan that seem to be a scoping study and emailed them to Scott Robertson at VTrans. The EDG is interested in applying for funding for a scoping study to start replacing sidewalks and doing some traffic calming in Jacksonville Village.

Stanley Janovsky, Jr. shared that four or five years ago a study was done to review the possibility of installing crosswalks in both villages, the study determined that there is not enough site of view distance for a driver to see a person in the crosswalk and stop in time.

Gretchen Havreluk noted that Jacksonville Electric owns the sidewalks. The electric company admits the sidewalks are bad, but they have no money to fix them. Ms. Havreluk would like a scoping study to determine the lengths of sidewalks and to list which sidewalks should be replaced first. A planning grant would be the first step in fixing the sidewalks.

Mr. Janovsky had, in the past, brought a guaranteed grant for sidewalk replacement to the electric company and they did not complete the application. Mr. Corse and Mr. Wood offered to go to the electric company meeting to discuss sidewalks with them. The electric company meeting is Tuesday, May 14<sup>th</sup> at 7pm.

Mr. Brown commented that the electric company charter shows they are responsible for the sidewalks, he questioned if the company was sold to a larger power company how would the sidewalks be handled in the future? Does the town want to meet with the Village of Jacksonville to discuss changing their charter? Mr. Janovsky noted we need to get to the bottom of this.

Mr. Janovsky recommends that the town applies for a "structures" grant to remove the culvert. He is not sure that the removal of the bridge would be included in that grant. He will submit an application. He noted the hydraulic study indicates the new culvert must be 16' wide, same height as current, and have a natural bottom. He would like it longer so that the fire trucks can easily pull out of the fire station.

Although there have already been many meetings with VTrans, ANR Rivers, State Floodplain Manager and Windham Regional Commission staff about flooding, removing the bridge, replacing the culvert and creating a flood plain lower down the river we will probably need to have many more to move this project forward but Mr. Janovsky will apply for the structures grant.

Ms. Havreluk mentioned the easiest way to complete the sidewalk project is for the town to try to acquire the sidewalks. Mr. Brown cautioned about the requirements to plow and maintain the sidewalks, what are the laws? Mr. Janovsky will investigate the laws.

Ms. Havreluk noted that there are a few options for a scoping study, a planning grant is due in June. She is not willing to write the grant but would review it before we submit it. Gig questioned if it was too soon to apply for a grant since the sidewalks don't belong to the town. Everyone agreed it was too soon.

Mr. Brown requested clarification: at the last meeting a proposal from Mitchell Sand & Gravel to supply paving and gravel at the same price as last year was tabled, it is not on the agenda for tonight. He read in the Deerfield Valley News that Mr. Corse thought it was a good deal and Mr. Brown wanted to know why it wasn't approved. Mr. Corse said that he didn't feel comfortable spending 20% of a department's budget on something that was not warned on an agenda; he feels that purchases need to be bid for transparency purposes. Mr. Brown asked what is the price of transparency? Did Mr. Corse read the purchasing policy that states that if a bidder from previous year provides the same price for the next year it will not have to be put out to bid. With that taken into consideration, and the way petroleum prices are going up and the good service that Mitchell provided, Mr. Brown expressed his disappointment that the board didn't jump on that offer and he guessed it would have saved the town \$45,000. He feels we have taken the credibility of the road boss away by removing the opportunity to act when he needs to act.

Mr. Hammer noted that transparency is great but it if is going to cost the town \$25,000 more there needs to be common sense. Mr. Wood agreed. Mr. Brown noted that Selectboard members have been elected to do the town business. He feels that part of transparency is being able to explain clearly why a decision was made. Mr. Corse responded by questioning Mr. Janovsky when he learned about the offer, he answered the day before the last meeting. Mr. Corse suggested that Mr. Janovsky could have notified Gig to add "paving matters" to the agenda and could have provided Gig with information that she could have forwarded to the Selectboard members to mull over before the meeting. Mr. Janovsky noted that he didn't have enough time and that he would have never brought it before the Selectboard if he didn't think it was a good idea.

Mr. Brown suggested that because Mr. Corse has done business with/against so many of the bidders, that it would be in the best interest of the town for Mr. Corse to step back from the process for a year and let the dust settle. He also suggested that board members become familiar with the Purchasing Policy because a decision will have to be made about fuel purchases coming up soon. Sometimes decisions have to be made quickly and can't be put off for two weeks. If necessary, a special meeting should be called. Mr. Kingsley ended discussion in order to move forward, Mr. Corse requested to respond, Mr. Kingsley denied the request, it is not going to affect a decision of the town.

Mr. Janovsky drew up a request for milling bids, he provided a draft bid for milling for 1220 feet of Nate Flynn Road to the intersection of Howe Lane, remove 2 inches for milling. The next round of 2" to be taken off would be the intersection of Burrington Hill Road to the intersection of Poverty Row. Then 1220' of Nate Flynn Road to Purjes' will be full depth reclaim, then 4100' to Howe Lane will just be overlaid, even though it was last paved 14 years ago it is in good shape. From Howe Lane all the way to Poverty Row will be full-depth reclaim. A question was raised-why are we paying to remove the 2" off? Mr. Janovsky answered that he wants the materials. Discussion ensued regarding the cost of milling versus the cost of gravel.

Going forward Mr. Corse would like to know ahead of time when Mr. Janovsky will be coming to the board with a major proposal.

Mr. Janovsky noted that the grader turntable lineboard was repaired, two pistons will be rebuilt, the rod in the long piston was bad. Stanley priced the rod at MiltonCat at \$1,320. Karl Twitchell had recommended having a new rod built, Stan is hoping that cost will be less. Once they get the rod back, they can start grading again, hopefully in the next few days.

Mr. Janovsky noted that a new company bought Lane Construction, he questioned if the board wanted to include the new company in the bid process. In the past Lane did not provide good service to the town. Bids will be sent to every vendor; the town has the right to refuse any and all bids.

#### **Fire Department, appointment of Chaplain**

Members of the Fire Department recommended the appointment of Seth Boyd as Chaplain. **A motion was made by Robin Kingsley to appoint Seth Boyd as Chaplain of the Fire Department, seconded by Wayne Wood, all in favor with Robin Kingsley casting his vote.**

#### **Junk complaints, next step(s)**

7849 VT Route 100 A letter that was written to Lindsay Rae Dix and mailed by certified mail was returned as undeliverable. No one knows where she is living now. That letter had requested that she clean up her property or screen the property from the road and the neighbor. Gig questioned the Selectboard in how they would like to proceed. Robin Kingsley suggested

that Gig draft a letter to VTrans about the unregistered vehicles for the board to sign at the next meeting.

Mr. Wood questioned if hiring a Sheriff to serve the letter to Lindsey Rae Dix would be beneficial? It will be discussed at the next meeting.

Mr. Brown questioned if there was a way to attach fines to properties without hiring a full-time constable. Gig responded that she had asked VLCT if there was a document that lays out the procedure for issuing fines and each step to take. Dan Hollister had done some research regarding Animal Control fines. It is important to enforce the ordinances but how much money does the town want to spend to collect a small fine? Ms. Aekus cautioned that in years past the Selectboard spent quite a bit of money trying to get someone to clean up their property to no effect. Robin noted that the Dix property is not a homestead it is just an empty lot, this might be a different situation.

1630 Wilmington Cross Road Gig drove by on April 22<sup>nd</sup> and the bags of household garbage have been removed from the property (or at least from site of the traveled road).

### **Municipal Center security and maintenance**

Security Kristine Sweeter, Librarian had called Wayne Wood regarding the recent theft of a laptop and 2 attempted break-ins through the windows in the past year. Ms. Sweeter had reported the events to the State Police and twice the police had suggested that the building have camera coverage. Mr. Brown suggested that there might be a program or a grant available to cover the cost of library and Town Hill security. Mr. Wood researched some options and found one for \$400 with four cameras that are weather proof and hard wired. He also looked at Standard Operating Procedures from fire departments and found that there are policies that can be adopted to protect privacy (the footage will only be viewed if an event happened and it is viewed as a group).

Mr. Corse suggested that if we do one building, we should do them all, he mentioned the \$10,000 in the budget for policing that could be used for cameras. He thought if the camera(s) were aimed at the road(s) it could help policing.

Maintenance Several windows in the Municipal Center need to be replaced and the floor in the dining hall should be refinished. Almira Aekus found money in the budget to replace some of the windows this year. In municipal repair and improvements there is \$8,700 right now, refinishing the floors in the dining hall will cost about \$3,000 and we have always used Miles Danaher. She is planning to engage him in September ( the next budget year). She thought that Pete Bernard could get prices from WW Building Supply and Leader Home Center for the windows and he can install them. Scott Reed noted that a good guess would be about \$500 per window and he thinks the \$8,700 would be enough. He offered to bring the WW salesman down to get a price quote. The Selectboard asked Almira to discuss the project with Stanley Janovsky, as Pete's supervisor and then discuss it again at the next meeting.

**Budget Status** The fiscal year ends June 30, 2019. Almira Aekus provided the board with financial documents to show the current status of the budget. She noted a tax sale is scheduled for June 27<sup>th</sup>.

### **Approval of Payables Warrant – April 25, 2019**

**A motion was made by Wayne Wood to approve Payables Warrant W1944 dated April 25, 2019, seconded by Wayne Corse, all in favor with Robin Kingsley casting his vote.**

### Approval of Payroll Warrant – April 25, 2019

A motion was made by Robin Kingsley to approve Payroll Warrant W1943 dated April 25, 2019, seconded by Wayne Wood, all in favor with Robin Kingsley casting his vote.

### Approval of Minutes of April 10, 2019

A motion was made by Robin Kingsley to approve the Minutes of April 10, 2019 as written, seconded by Wayne Corse, all in favor with Robin Kingsley casting his vote.

### Other business / Office Administrator – as needed

Rescheduled Training The incident command center training (ICS-402) has been rescheduled to Wednesday, May 1<sup>st</sup> from 2-4pm at the Windham Regional Commission in Brattleboro.

VLCT Insurance Rich Meher of VLCT was here on Tuesday, April 16<sup>th</sup>. He had a list of prior “suggestions” and was looking to see if any of those suggestions were implemented. Some of those items were to install fire proof sheetrock in the furnace room and to install balusters on the front porch railing. Neither Gig, Almira, Stan or Pete had ever heard of these “suggestions” before. Rich Meher indicated that we will receive a letter about his inspection findings.

Animal Holding Contract We finally received the contract from the Humane Society for Animal Holding for two months (May and June). They charge \$300 per year so this contract is pro-rated at \$25 per month. **A motion was made by Wayne Corse for Robin Kingsley to sign the contract with Windham County Humane Society for two months, seconded by Wayne Wood, all in favor with Robin Kingsley casting his vote.**

Speed sign: Robin Kingsley has the speed sign that was offered for free to Whitingham from the town of Wilmington. Mr. Kingsley will contact Stanley Janovsky about it.

Meet the Candidates: The event last night went well. We had approximately 40 attendees not including the candidates and moderator. One topic brought up was overnight parking at the Eames Village Park. One car was parked there all winter. Gig drafted a letter to the owner of the vehicle asking for removal within a week or it will be towed. Gig and Almira will try to pay attention to the number of other cars parking overnight, perhaps Robin could help. Gig will contact the State Police asking for them to verify the owner of the car by the plate number before we send the letter. **A motion was made by Wayne Wood to sign the letter pending verification of the ownership by the State Police and also verifying that signage is in place at the Eames Village Park, seconded by Robin Kingsley, all in favor with Robin Kingsley casting his vote..** Marshall Dix noted that the town might have some liability if we have the car towed. Gig will contact VLCT and the State Police before the letter is mailed.

### Adjourn

**A motion to adjourn was made by Robin Kingsley, seconded by Wayne Wood, all in favor.**

Robin Kingsley adjourned the meeting at 8:36pm.

Respectfully submitted,  
~Gig Zboray