



**Town of Whitingham
Office of the Selectboard**

MINUTES OF JANUARY 29, 2020

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, January 29, 2020 at 6:30pm in the Selectboard Office of the Municipal Center, 2948 VT Route 100, Jacksonville, VT.

Selectboard members present: Wayne Wood, Vice Chair; Wayne Corse, Craig Hammer, and Scott Reed, members.

Others present: Gig Zboray, Selectboard Office Administrator; Stanley Janovsky, Jr., Road Commissioner; Almira Aekus, Town Clerk/Treasurer; Richard Lemaire, Marshall Dix, Phil Edelstein, David Dumaine, Allan Twitchell, residents; Michael Cole and Brian Marchegiani of Readsboro's Jack Pine Pirates OHV Club; Sharon Berry, School Board; Trevor Berry, Dan Chappell, Colby Lambert, Bob Lambert, John Lyddy, Tyler Colford, Carrol Havreluk, Jr., Jackie Bemis, and Jeff Waldron.

Call to Order. Additions or Changes to Agenda.

Wayne Wood called the meeting to order at 6:30pm. There was one addition to the agenda since it was posted: discuss "2nd Amendment Sanctuary".

Hearing of visitors (for concerns not on the agenda)

Mr. Lemaire questioned if there was something the town's people could do to curb the schools spending. Mr. Reed noted that some new people are running for school board.

Mr. Twitchell questioned the status of the Education Funding Litigation lawsuit. It continues to move along.

Joe Berard of Readsboro to discuss ATV use of roads

Joe Berard had another commitment tonight but Michael Cole and Brian Marchegiani of the Jack Pine Pirates Off Road Club came to the table. They have a plan to extend their off road trails into Whitingham; from Readsboro to Cherry Creek, using some roads but seeking landowner permission to extend the trail system. They are trying to work with the power company. They suggest that we look at the Readsboro Ordinance and consider adopting our own. It is not law, but their Ordinance requires insurance on ATVs. We won't see a trail here for a least 2 years. It took 3 years to make progress in Readsboro. During mud season they close the trails, for example, the trails were open for winter but recently closed because of the weather. They have control over the trails, using Facebook and signs to post if they are closed. Stanley Janovsky asked if the town could allow riders in the village. They answered that there is a process to allow ATVs on state highways. The Readsboro trails have been designed for recreational enjoyment, not for speed.

Sharon Berry to discuss plowing contract

Sharon Berry asked if the town needed the contract or if it could be a little simpler. The school is fine with Town Meeting, Maplefest, and other events at the school. Gig should complete the usage form for town meeting. **A motion was made by Scott Reed to continue the plowing in exchange for use of the school building as it has always been, seconded by Craig Hammer, all in favor.**

Mr. Corse questioned how the school board members are paid. Sharon Berry answered that they get a \$1,000 stipend around March. She has never put in for reimbursement for mileage, most board members don't.

Highway Department

Reclassification of Head of Pond Road

Tabled for now. The process will happen when we reclassify the Municipal Center.

Review and approve WRC contract to act as agent for MPG

At the December 18, 2019 Selectboard meeting a motion was made to appoint the Windham Regional Commission to act as agent for the FY20 Municipal Planning Grant. The Selectboard reviewed the contract. **A motion was made by Craig Hammer to allow Wayne Wood to sign the contract with the Windham Regional Commission to act as agent for the FY20 Municipal Planning Grant, seconded by Scott Reed, all in favor.**

Discuss overtime pay

Tabled until next meeting.

Review and sign annual Certificate of Highway Mileage form

There have been no changes to the road mileage this year. The Selectboard reviewed the form. Mr. Corse questioned if Smith Road and Hurd Lane were Class III or Class IV roads. Stanley Janovsky replied that they are Class III but the town does not have to plow the roads if they are dangerous to plow. Mr. Janovsky will look in the Orange Book to confirm. Almira Aekus mentioned that it should be in the Minutes somewhere. Mr. Edelstein noted that he is the only one using Hurd Road, he made an agreement with the town years ago and he doesn't want any changes. Mr. Janovsky will bring information to the next meeting. **A motion was made by Craig Hammer to approve and sign the annual Certificate of Highway Mileage, seconded by Scott Reed, all in favor.**

Transfer Station, SWIP update-engage WRC to review

We must prepare a new Solid Waste Implementation Plan for the next 5 years. Gig has a very good draft but would like the Windham Regional Commission to review it before submitting to the ANR. WRC will charge \$75 per hour for the review with a max of 10 hours. **A motion was made by Scott Reed to allow the WRC to review the new SWIP, not to exceed \$750, seconded by Craig Hammer, all in favor.**

Appoint members to Highway Garage Committee

At the January 2, 2020 Selectboard meeting a motion was made to create a Town Garage Committee to look at options to either repair the current garage or build a new garage at another location. **A motion was made by Wayne Corse to appoint Richard Lemaire, Allan Twitchell, Scott Reed, Tyler Colford and Marshall Dix to the Town Garage Committee, seconded by Craig Hammer, all in favor.**

Selectboard reorganization discussion

A motion was made by Wayne Corse to appoint Wayne Wood as Chair of the Selectboard, seconded by Scott Reed. Mr. Wood noted that with only two more meetings before Town Meeting he doesn't feel it is necessary to have a new title at this time. Mr. Corse feels that it is important to have a Chair. **Wayne Corse in favor, Wayne Wood and Craig Hammer opposed and Scott Reed abstained. Motion did not pass.**

Selectboard pay discussion

Ms. Aekus suggested that going forward the Selectboard be paid quarterly starting March-June which would be paid on the first payables warrant in July.

A motion was made by Wayne Corse for the following Selectboard pay change: The Chair to be paid \$85 per meeting attended up to 26 meetings per year and \$150 for attendance at annual Town Meeting in March; Selectboard members to be paid \$75 per meeting attended up to 26 meetings per year and \$100 for attendance at annual Town Meeting; to be paid quarterly beginning with the first pay period in the new fiscal year. Discussion: this payment arrangement pays by attendance on a quarterly basis and the total is what has been budgeted.

Seconded by Craig Hammer, all in favor.

Finalize budget for 20/21, motions to approve

The final budget was reviewed, Almira Aekus noted that since the last meeting there was a minor change in the county tax. **A motion was made by Wayne Corse to accept the proposed budget for fiscal year July 1, 2020 - June 30, 2021 of \$608,406.00 of which \$358,851.00 to be raised in taxes, the balance to be offset by \$194,893.00 in anticipated revenues and \$54,662.00 appropriated from prior year's fund balance, seconded by Scott Reed, all in favor.**

A motion was made by Craig Hammer to accept the proposed Highway budget for fiscal year July 1, 2020 - June 30, 2021 of \$1,369,882.00 of which \$1,250,726.00 to be raised in taxes, the balance to be offset in \$119,156.00 in anticipated revenues, seconded by Scott Reed, all in favor.

Final review and sign Warning for Town Meeting 2020

A motion was made to approve and sign the Warning for Town Meeting 2020 by Scott Reed, seconded by Craig Hammer, all in favor.

Review and discuss Selectboard annual report

There was some discussion about the Great River Hydro tax appeal, that information is included in the Assessor's Office report rather than the Selectboard report due to space. **A motion was made by Wayne Corse to approve the Selectboard annual report as written, seconded by Craig Hammer, all in favor.**

Discuss “2nd Amendment Sanctuary”

Wayne Wood read information received from VLCT regarding how to become a municipal 2nd Amendment Sanctuary, it would simply be a resolution, it wouldn't have much legal standing. The interested parties at the meeting (calling themselves the “Wednesday Group”) understand that. It was suggested that the group attend Town Meeting to make a non-binding resolution during other business.

The Wednesday Group suggested that the Selectboard pay attention to changes in Act 250. They are worried about the Red Flag law. They are focusing on educating people on current laws and proposed laws that are affecting the freedoms of our residents. They meet every other Wednesday (opposite of Selectboard meetings) at 7pm at Our Lady of Fatima in Wilmington.

Approval of Payables Warrant – January 30, 2020

A motion was made by Craig Hammer to approve Payables Warrant W2032 dated January 30, 2020, seconded by Wayne Corse, all in favor.

Approval of Payroll Warrant – January 30, 2020

A motion was made by Scott Reed to approve Payroll Warrant W2031 dated January 30, 2020, seconded by Craig Hammer, all in favor.

Approval of Minutes of January 15, 2020

A correction was required under the appointment of Broadband Committee members, there is no such person as Michael Bennett, his name should be struck. **A motion was made by Wayne Corse to approve the Minutes of January 15, 2020 as corrected, seconded by Scott Reed, all in favor.**

Other business / Office Administrator – as needed

Junk – how do we want to proceed? (stems from Strategic Plan) There was discussion about the red truck that seems to have been abandoned in the Municipal Center lot over a month ago. Gig should find out who's vehicle it is and how best to get rid of it.

The residents in attendance were asked what they think is the best way to handle junk. Gig should ask VLCT if there is some way to hitch fines to a lien on the property. Mr. Twitchell, a prior Selectboard member, noted that they tried for years and years but it is difficult. Ms. Aekus suggested to begin by writing a letter to property owners with junk on their property with the threat of fines. Mr. Edelstein suggested that perhaps there is a way to change the ordinance to be allowed to tow a vehicle off a property.

Gig should look up rules for Park and Ride, contact police to find out who's vehicle it is, and contact VLCT about other junk.

Policing Mr. Wood spoke to Chief Murano, Wilmington could provide policing services at a cost of \$65 per hour (overtime rate) including a cruiser. He was wondering what Whitingham's interest is. Topic to be discussed at next meeting. Chief Murano is working on a grant that might provide a speed sign for free.

Tax Rate Ms. Aekus prepared a spreadsheet of the tax rate (estimated) for the Town Report, the board all agreed that it should be in the report. She noted that the school tax rate should be down this year, about 20 cents less.

Sewer Mr. Corse questioned what the next step(s) on the sewer project are. Gig replied that the engineers have to incorporate some of the state requirements for redundancy into the final version of the Preliminary Engineering Report (PER). Then the Selectboard will meet with the engineers and possibly State officials and create a “shopping list” from the projects listed in the PER and that will move the project into the design phase and then on to construction.

Adjourn

A motion to adjourn was made by Scott Reed, seconded by Craig Hammer, all in favor.

Mr. Wood adjourned the meeting at 8:28pm.

Respectfully submitted,
~Gig Zboray