



**Town of Whitingham
Office of the Selectboard**

MINUTES OF FEBRUARY 10, 2021

These Minutes are considered a DRAFT until accepted into the public record (with any corrections noted) at a future meeting of the Whitingham Selectboard.

The Whitingham Selectboard held a site visit at Murdock Lane at 4pm on Wednesday, February 10, 2021.

Selectboard members present: Wayne W. Wood, Chair; Scott Reed, Vice Chair; and Chris Walling.

Others present: Gig Zboray, Selectboard Office Administrator; Stanley Janovsky, Road Commissioner; Robert Fisher, Town Attorney; Gordon Kingsley, abutter; Nikki Howe, resident of Murdock Lane.

Site Visit of Murdock Lane

Today an email request to cancel the site visit and hearing regarding the town takeover of Murdock Lane was received from Bob Frank, President of Ryder Pond Association. The request was received too late to cancel. Mr. Frank then sent another email to ask that Gig cancel his first request. The site visit at Murdock Lane was conducted but there was too much snow cover to look at the condition of the road or culverts.

=====

The Whitingham Selectboard held a regular meeting and hearing at 6:30pm in the dining hall of the Whitingham Municipal Center on Wednesday, February 10, 2021.

Selectboard members present: Wayne W. Wood, Chair; Scott Reed, Vice Chair; Chris Walling, and Craig Hammer. Phil Edelstein attended remotely.

Others present: Gig Zboray, Selectboard Office Administrator; Stanley Janovsky, Road Commissioner; Almira Aekus, Clerk/Treasurer; Robert Fisher, Town Attorney.

Others attending remotely: Sue Kopochus, Nikki Howe, John and Johanna Robohm, Martin Amlin, Bob Frank, Mark Hanna, and Elizabeth Fournier, residents. Christie Betit, BDCC.

Call to Order. Additions or Changes to Agenda

Wayne W. Wood called the meeting to order at 6:30pm reading the remote meeting script.

Hearing of concerns regarding town takeover of Murdock Lane

This morning Gig received an email request to cancel the hearing and the process regarding the town takeover of Murdock Lane from Bob Frank, President of Ryder Pond Association. The request was received too late to cancel the site visit and this hearing. Another email request was received in the afternoon to cancel the first request and continue with the process.

Attorney Fisher noted procedure: The Selectboard must find it is for the public good, public necessity and public convenience for the town to layout Murdock Lane as a public highway. Necessity is reasonable need, greatest public good, least inconvenience and expense to the town. Mr. Fisher read a list of factors that go into the necessity finding.

Wayne W. Wood opened the hearing.

Mark Hanna noted Murdock Lane is owned by the Ryder Pond Homeowners' Association, they are unaware of the cost to bring the road up to town standards. There is a septic pipe that goes under the road to a septic field,

Martin Amlin has mixed feelings about the seeking the town takeover of Ryder Pond Association roads. Mr. Wood noted that this hearing is only about Murdock Lane, not the other two roads in the district.

Nikki Howe has a concern for access of emergency vehicles to the residents on the road. There are now four full time residents. If the road isn't plowed by their contractor, it would be difficult for the first responders to access.

Phil Edelstein noted that Whitingham and other towns in Vermont have actually given up public roads back to the landowners. He noted that all property owners in the Association knew that they were buying into an association. He personally feels it is not in the town's best interest to take over Murdock Lane.

Craig Hammer asked Mr. Janovsky about line of site and the need to cut the bank to allow for safer egress.

Mr. Janovsky's major concern is the safety of his crew, he had difficulty pulling out of Murdock Lane after the site visit in his one-ton truck, he was not even in one of large trucks. His personal opinion is that he is against it.

Mr. Fisher asked Mr. Janovsky if Murdock Lane currently meets the road specifications at this time? Mr. Janovsky responded that he does not know about most of the specifications, but it definitely does not meet line of site requirements.

Mr. Fisher questioned Mark Hanna about the common roads, if they are laid out as a 50' right of way? Mr. Hanna responded that he doesn't know for sure. Mr. Fisher noted that if the road is already 50' wide, then the abutting landowners would not be losing any land, as was one concern noted during the site visit.

Nikki Howe noted that when there are no snowbanks the visibility is much better than it used to be. She compared it to the intersection of the Cross Road and Route 100 at Goodnow Road.

Mr. Walling has a conflict of interest and cannot vote on the topic.

Mr. Wood suggested postponing the hearing until the spring. Mr. Fisher noted that we should adjourn the hearing to a date and time certain.

The hearing has been adjourned to April 21st with a site visit at 5:30pm, hearing continues at 6:30pm.

A motion was made by Wayne W. Wood to adjourn the hearing until the 21st of April, 2021, seconded by Scott Reed, all in favor.

Hearing of questions regarding budget, town report and/or sewer bond

Christy Betit of BDCC made herself available to answer questions of the Selectboard or the public.

John Robohm questioned procedure of Australian ballot and the lack of ability to change the budget from the floor. There is no ability to change any of the articles on the Warning from the floor with Australian ballot.

Mr. Robohm had a few questions about the land purchase for a new town garage. He also questioned interest income forecasted, Ms. Aekus answered that she would rather forecast interest income on the side of caution. Mr. Robohm questioned insurance on page 13, actual cost was \$58,000 yet budgeted for \$55,000. Ms. Aekus answered that Worker's Comp Insurance went down. He questioned what election and programming expenses were. Answer: When there is a general election a tabulator is used and there is a cost for programming that machine. Assessor's Office – he questioned why Clerk's wages went from \$9,000 to \$17,000; about double plus outside appraisal services are used. Answer: last year the clerk's hours and wages were increased. Mrs. Robohm noted the cost of the Assessor's Office in the past was much less than budgeted for 21/22 and thought it would be less going with the professional listers. Answer: the Selectboard never thought it would be less expensive using outside appraisal services; the town had to go that route because no one ran for the Lister positions that were available. Mr. Robohm questioned \$9,000 for internet and the cost of cyber security. Mr. Wood explained that we needed better internet here at the Municipal Center because we could barely hold remote/hybrid meetings. With the pandemic so much more information is being accessed online and we need to protect that information. Mr. Robohm realizes that Cyber Security is very important.

Ms. Aekus noted that it looks like the local tax rate and the school tax rate might be lower for 2021/22.

Hearing of visitors (for concerns not on the agenda)

None

Highway:

Backhoe status The new backhoe is here and the crew is happy with it.

Discuss replacement of town pick-up and 1-ton trucks These two trucks are a few years overdue for replacement. Mr. Janovsky would like permission to at least start looking for a new pick-up for the Municipal Employee. The board agreed with Mr. Janovsky that it is time.

Fire Department:

"new" fire truck status,

The new truck is here, not in service yet, waiting for some lights to come in. It should be put into service in the next few weeks.

discuss auctioning the old truck

Mr. Janovsky received information about Auctions International as a way to sell the old fire truck because the town will likely make more money on it. More information will likely be presented at the next meeting.

Transfer Station: SWIP approved by ANR

On January 25, 2021 the Agency of Natural Resources approved our Solid Waste Implementation Plan (SWIP) for the five years ending 2025.

Hazard Mitigation

Review and sign FEMA buyout documents

The Selectboard reviewed the Local Match Commitment Letter and the Programmatic Terms and Conditions for the FEMA buyout of 2984 VT Route 100 in Jacksonville. **A motion was made by Craig Hammer to appoint Wayne W. Wood to sign the Local Match Commitment Letter and the Programmatic Terms and Conditions document, seconded by Chris Walling, all in favor.**

The next steps in the project are: FEMA makes award, subgrant agreement is reviewed and signed, property is appraised, Voluntary Transaction Agreement is signed by town and property owner, closing documents are prepared by town attorney, closing is scheduled to meet property owner's needs, meanwhile an RFP for demolition is prepared and we make sure we have any necessary permits. After closing, the property must be demolished within 90 days. Project must be complete by July 30, 2022.

Update of scoping study

Stanley Janovsky, Jr., Chris Walling and Gig attended a meeting with the engineers and other officials regarding the scoping study for the hazard mitigation project at the Municipal Center. This was a kick-off meeting to make sure the stake holders all had the same understanding of what the project will cover. When complete, we will have a plan and a dollar figure to move forward with widening the river to bankful width, removing the cement bridge, replacing and lengthening the culvert, and addressing lowering the bank to allow floodwaters into the floodplain.

Corona/COVID-19

The ballots for Town Meeting will be mailed out on Friday.

Approval of Payables Warrant – February 11, 2021

A motion was made by Scott Reed to approve Payables Warrant #W2134 dated February 11, 2021, seconded by Phil Edelstein, all in favor.

Approval of Payroll Warrant – February 11, 2021

A motion was made by Chris Walling to approve Payroll Warrant #W2133 dated February 11, 2021, seconded by Scott Reed, all in favor.

Review and approve Minutes of January 27, 2021

A motion was made by Wayne W. Wood to accept the Minutes of January 27, 2021 as written, seconded by Craig Hammer, all in favor.

Other business / Office Administrator – as needed

Review and sign non-employee work agreements for mowing To have proper documentation for worker's comp audits we have to have on file signed non-employee work agreements, Brian and Doug Dix signed contracts for mowing of Town Hill in 2020 and for the Cemeteries for 2021-2023 and now the board must sign them as well. **A motion was made by Craig Hammer to sign the non-employee work agreements with Deerfield Valley Property Maintenance for Town Hill mowing in 2020 and Cemetery mowing for the years 2021-2023, seconded by Scott Reed, all in favor.**

Sewer: We still need 16 more MHI surveys out of a list of 56 non-responders. All Selectboard members, Gig and Jennifer Herzig will work on contacting people to encourage them to respond.

Adjourn

A motion to adjourn was made by Scott Reed, seconded by Chris Walling, all in favor.

Wayne W. Wood adjourned the meeting at 7:50pm.

Respectfully submitted,
~Gig Zboray