



**Town of Whitingham
Office of the Selectboard**

MINUTES OF APRIL 21, 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 5:30pm on Wednesday, April 21, 2021.

Selectboard members present: Scott M. Reed, Chair; Craig Hammer, Vice Chair; and Chris Walling.

Others present: Gig Zboray, Selectboard Office Administrator; Stanley Janovsky, Road Commissioner; Robert Fisher, Town Attorney; Nikki Howe, Mark Hanna, and Bob Frank residents of Ryder Pond Association; Greg Brown and James Weber, residents.

Site Visit of Murdock Lane

The site visit of Murdock Lane was conducted. The entire length of the road was walked by the group. Septic line crossing and two manholes were noted, Mr. Janovsky noted that at least 5 driveways connect to the road higher than the roadway which is against town access standards.

The Whitingham Selectboard held a special meeting at 6:15pm in the dining hall of the Whitingham Municipal Center on Wednesday, April 21, 2021.

Selectboard members present: Scott Reed, Chair; Craig Hammer, Vice Chair; Phil Edelstein, and Chris Walling.

Others present: Gig Zboray, Selectboard Office Administrator.

Scott Reed called the meeting to order at 6:15pm.

A motion was made by Scott Reed to enter into executive session to discuss the appointment of a public officer in accordance with 1 V.S.A. § 313(a)(2) to include Gig Zboray, seconded by Craig Hammer, all in favor.

Executive session was exited at 6:35pm.

The Whitingham Selectboard held a regular meeting and continuation of Hearing of Concerns regarding a petition for the town to take over Murdock Lane at 6:30pm in the dining hall of the Whitingham Municipal Center on Wednesday, April 21, 2021.

Selectboard members present: Scott Reed, Chair; Craig Hammer, Vice Chair; Phil Edelstein and Chris Walling.

Others present: Gig Zboray, Selectboard Office Administrator; Stanley Janovsky, Jr., Road Commissioner; Almira Aekus, Clerk/Treasurer; Robert Fisher, town attorney; Greg Brown and James Weber, residents.

Others attending remotely: Martin Amlin, Bob Horner, Mark Hanna, All States Construction Inc. representative, Jeremy Carlson, Dave DiCantio, sewer plant operator; Mike Smith, engineer for sewer plant.

Call to Order. Additions or Changes to Agenda

Scott Reed called the meeting to order at 6:36pm reading the remote meeting script. There were several additions to the agenda since it was posted.

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

Appoint a new Selectboard member to fill vacancy created on March 24 – final decision from executive session at 6:15pm

A motion was made by Chris Walling to appoint James Weber to fill the vacancy on the Selectboard, seconded by Scott Reed, three in favor, Craig Hammer opposed.

Phil Edelstein suggested that Greg Brown serve the Selectboard by acting as a special projects manager to be involved in the various projects going on and participating in what the Selectboard does but have no voting rights, Mr. Brown said he would give the position some consideration.

Ms. Aekus swore in James Weber as Selectboard member.

Highway

Continuation of hearing of concerns regarding a petition for the town to take over Murdock Lane

Scott Reed hereby opened the hearing of Murdock Lane, a continuation of the hearing from February 10, 2021.

Attorney Fisher mentioned the comments that were noted during the site visit such as the poor sight line at the intersection with Wilmington Cross Road, the septic line crossing the road, manholes, the driveways entering the road above the road height which is against town access rules.

Mr. Edelstein asked about procedure – Mr. Hanna noted that if the town votes to move forward then the Homeowners Association must have a vote that would require a 60% approval to give up the road, they need to do a cost justification (legal fees, surveying, upgrading the road to town specs, etc.).

Mr. Fisher reiterated that the Selectboard must answer if it is in the public good, public necessity and public convenience for the town. If they think yes then they can condition that acceptance on bringing the road up to specific standards, surveying, deeds, etc. Public good is not defined in statute regarding highways. Traffic, agricultural lands, town and regional plans, impacts on erosion, are some examples of state guidance. Mr. Fisher said it is not required for the road to be up to standards, but many town decisions are conditioned on that.

Four full time residents and one part time resident currently live on Murdock Lane. The lack of consistent plowing that could affect life safety response was mentioned at the prior hearing. Mr. Weber noted that the town crew or fire volunteers have plowed private roads or driveways in an emergency situation.

A motion was made by Craig Hammer to NOT take over Murdock Lane as a town highway, seconded by Phil Edelstein, James Weber in favor. Chris Walling abstained because of conflict of interest; Scott Reed abstained because he is good friends with Mr. Walling. Three in favor, motion passed.

Open paving bids

Paving was budgeted at \$400,000 which includes all repairs needed before paving.

Peckham Road Corp offered a bid per ton per road:

Reed Hill Road	\$92.02 per ton
Collins Road	95.77 per ton
Gates Pond Road	99.78 per ton
Hebard Hill Road	97.70 per ton
Parsons Road	91.40 per ton.

Averaged out is \$ 95.33 per ton, Mr. Janovsky noted it is approximately \$30 per ton more than last year.

Bazin Brothers: \$75.55 per ton

All States: \$72.40 per ton.

A motion was made by Scott Reed to accept the All States bid of \$72.40 for Bituminous Concrete in Place for the paving of Reed Hill Road, Collins Road, Gates Pond Road, Hebard Hill Road and Parsons Road, seconded by James Weber, all in favor.

Open gravel bids

Bazin Brothers:	\$27.45 per cubic yard delivered to highway garage
Cersosimo:	\$23.25 per cubic yard delivered to highway garage
Zoar Stone and Gravel:	\$25 per cubic yard delivered to highway garage
Mitchell Materials LLC:	\$12.20 per ton/\$18.30 per cubic yard delivered

A motion was made by Craig Hammer to accept the Mitchell Materials LLC bid of \$12.20 per ton (\$18.30 per cubic yard), seconded by Chris Walling, all in favor.

Highway garage

Scott Reed would like an engineer to come in to do a study of the current highway garage site to see if it has any useable land where expansion can be done. Gig suggested putting the engineering out to bid. Mike Smith agreed with Gig, if the town will be looking for Federal funding down the road engineering must go through the proper bidding process to qualify. Mr. Smith offered Weston & Sampson serves to help us with creating the Request for Qualification documents to put it out to bid.

Efficiency Vermont: representative(s) to explain their program and how it best benefits Whitingham's various projects

Rebecca White of Efficiency Vermont provided an overview of their program. She noted that Whitingham qualifies for a municipal bonus of \$4,000 but that can only be used on one building, one project.

We currently have three projects that would qualify for the municipal bonus: the sewer project, new lighting in the fire house and new lighting and an exhaust fan in the Municipal Center. Ms. White noted that an agreement must be signed by March 2022.

The board felt the sewer project doesn't benefit the entire town, only the sewer users so they don't want to use the bonus on that project. It will likely be used on the Municipal Center lighting and fan. Final decision to be made at a later date.

Review lighting replacement proposal for dining hall

A proposal was received from JC Electric but at least one more proposal will be sought in order to comply with the town Purchasing Policy.

Motion to use municipal maintenance funds for Library heat pumps and for the fire house electrical work

The treasurer has requested that the Selectboard make a motion to transfer funds out of the Municipal Facilities Fund to cover the cost of the recently installed heat pumps in the library. There is currently \$39,451.97 in that fund. The cost of that work was approximately \$7,000 along with some electrical work. Mr. Janovsky requested that the Fire House lighting also be paid out of that fund.

Scott Reed made a motion that the library heat pumps and the fire house lighting be paid from the Municipal Facilities Fund, seconded by Chris Walling, all in favor.

Sewer

Discussion with engineers

Mike Smith of Weston and Sampson gave an update of the sewer project. It is stalled because the state does not fund spare parts, but those parts are required by the state for redundancy. The engineering services agreement has been in the state's hands for over a month, and they are supposed to review it soon. The loan application can be submitted while the project is being put out for bid. Next up: one month bid period, bid opening, two-week evaluation period, 6-7 weeks after bid advertisement we should be ready to sign contract, the contract consists of renovating both plants. Jacksonville will need temporary treatment equipment so the sewage can be processed while the project is going on. When the Whitingham plant is being renovated the sewage will be trucked to Jacksonville or elsewhere for processing. When the new equipment is installed, the biology will need to be grown and then the new equipment can go on line. The project should be complete 365 days from the time the contract is signed.

Craig Hammer asked what happens if the bids come in higher than the bond authorization? Some cushion has been built in. We could reject all the bids, rescope the project and start over

or we could hold a town vote to expand the bond and the loan. If its not a large difference, we could take out the collection system costs/repairs.

Review and sign funding application for phase 3 (construction)

After reviewing the funding application, a motion was made by James Weber to appoint Scott M. Reed as authorized representative and Gig Zboray as alternate authorized representative to handle administrative responsibilities for funding, design and construction improvements at both sewer plants and to approve and sign the Funding Application for phase 3 (construction) of the sewer project in the amount of \$3,915,000.00, seconded by Chris Walling, four in favor, Phil Edelstein stepped out of the room.

Transfer Station: review HHW proposals

Gig received two estimates to haul away our Household Hazardous Waste after the second collection event in October. The first was from Clean Harbors, the company we used is 2020. Their response was “I do not think anything will change with pricing”. In 2020 they charged us \$2,940.21. The second was from Clean Management, they based their quote off the 2020 invoice from Clean Harbors, their estimate came in at \$1,788.

A motion was made by Scott Reed to use Clean Management for removal of household hazardous waste in October 2021, seconded by Phil Edelstein, all in favor. Gig noted that she must file appropriate paperwork with the state to use either vendor, if there is a problem, she will let the board know.

Town Hill Vandalism

Phil Edelstein found a simple outdoor camera that could be connected to the VTel internet that is available at Town Hill for a cost of about \$1,500. Craig Hammer suggested putting bigger boulders along the road to block off the grass and a gate to allow access for lawn mowers and food trucks, etc. Mr. Janovsky would prefer a split rail fence around the generator because the generator needs to be clear of debris and by having it open it allows the wind to clean out the area naturally and so far, no one has bothered it. The board would like to meet with the Parks Committee at Town Hill at 5:30pm before the next Selectboard meeting to discuss.

Corona/COVID-19

Information is coming in about the American Rescue Plan Act (ARPA). We don't know much at this point but according to the National League of Cities, the Town of Whitingham is expecting \$126,301.34. Hopefully, we will receive additional grant funds towards the sewer project but that is unknown at this time.

Approval of Payables Warrant – April 22, 2021

A motion was made by Chris Walling to approve Payables Warrant #W2144 dated April 22, 2021, seconded by Phil Edelstein, all in favor.

Approval of Payroll Warrant – April 22, 2021

A motion was made by Scott Reed to approve Payroll Warrant #W2143 dated April 22, 2021, seconded by Phil Edelstein, all in favor.

Review and approve Minutes of April 7, 2021

A motion was made by Phil Edelstein to accept the Minutes of April 7, 2021 as written, seconded by Chris Walling, all in favor.

Other business / Office Administrator – as needed

Ms. Aekus handed out budget status reports and plans to review them more thoroughly with the board at the next meeting.

Post meeting note: the annual “D2R2” bike ride will be on Saturday, August 21st. Riders start in Deerfield, MA and ride at their own pace. Some riders may choose a route through Whitingham.

Adjourn

A motion to adjourn was made by Craig Hammer, seconded by Phil Edelstein, all in favor.

Scott Reed adjourned the meeting at 8:51 pm.

Respectfully submitted,
~Gig Zboray