



**Town of Whitingham  
Office of the Selectboard**

**MINUTES OF MAY 6, 2020**

*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 regular meeting on Wednesday, May 6, 2020 at 6:30pm via electronic means and/or telephone.

Selectboard members present: Wayne Wood, Scott Reed, Wayne Corse, Phil Edelstein, and Craig Hammer.

Others present: Gig Zboray, Selectboard Office Administrator; Stanley Janovsky, Road Commissioner; Almira Aekus, Town Clerk; Dave DiCantio, Chief Sewer Plant Operator; Allan Twitchell, resident; Seth Boyd, Parks Committee Chair; Shane Mullen & Michael Smith of Weston & Sampson Engineering; Greg Brown, resident, Butch Jillson, resident, popped on after the meeting started.

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

Wayne Wood called the meeting to order at 6:30pm. Tire recycling was added under Transfer Station.

**Roll call attendance of all participants** see listing above

**Hearing of visitors for concerns not on the agenda** no comments

**Sewer Department: meet with sewer engineers**

**Preliminary Engineering Report (PER) review**

The twenty-year evaluation and the preliminary engineering report (PER) are two reports required by different agencies; Weston & Sampson was able to create one report to satisfy both agencies. Mike Smith and Shane Mullen provided some background to the project and what was evaluated during their report process.

**Design Scope**

They evaluated 4 different alternatives, the process equipment they recommend is the Bio-Max unit to replace the RBCs and clarifiers, it's similar to the RBC but has a cloth filter on the end. Besides the process equipment they looked at building rehabilitation including mold damage and the need to replace the heating and electrical systems. Required improvements include emergency generators, modern control panel and the water supply in the Jacksonville plant. The collection system was also looked at and some repair work was identified.

The PER was completed and submitted to the state in July of 2019. The state had requirements for redundant process systems (two RBC units at each plant). There was much back and forth between the engineers and the state over this issue; the additional cost was an

estimated \$1.3 million. The state finally approved having spare parts on hand to meet the redundancy requirement.

Greg Brown questioned the life expectancy of the Bio-Max unit versus the RBC units that we use now. Mr. Smith responded that the design life is 20 years, and we don't have a heavily loaded system which works in our favor. We got about 36 years out of the RBC units.

Phil Edelstein questioned the list of spare parts needed now, are the plants in violation right now? Mr. DiCantio responded that the list Mr. Edelstein is asking about are the parts required per our wastewater permit, we are not in violation with regard to our testing requirements/effluent discharge. With the year long delay on this project and knowing that construction won't begin for another year, Mr. DiCantio strongly suggests purchasing these redundant parts now to cover our current needs. The pumps and the UV units will most likely work with the new equipment when installed. Mr. Smith noted that the forward flow pumps will definitely be incorporated into the new project. The UV units would need to be sized properly. Mr. Smith will speak with the state to find out if we can get Clean Water State Revolving Fund (CWSRF) monies to purchase these parts now because they will be used in the new construction.

### Funding

The CWSRF loan helps with planning loan forgiveness, provides a pollution control grant that will reduce principal and an additional subsidy for small communities which is up to 40% of construction costs.

The Water Infrastructure Sponsorship Program (WISPr) program has been put on hold because of the COVID-19 pandemic. That funding would have been helpful for the flood resiliency project in Jacksonville.

Northern Border Economic & Infrastructure Development (EID) Grant is very competitive and relatively small (a 4.5 million dollar pot), it has been restructured to benefit recovery efforts of the COVID-19 pandemic.

USDA Rural Development is a Federal program similar to CWSRF but CWSRF is a better package.

A Federal stimulus might become available. The engineers will keep an eye on what develops there.

The state's draft Intended Use Plan lists Whitingham as #3 on the priority list. We qualify for 27% of our total project to be covered by the pollution control grant.

Step 1 is the PER

Step 2 is final design up to bid advertising

Step 3 is construction phase including engineering services, bid opening & selection and physical construction, commission, startup and training and a 1 year inspection

The state would like to see our project under contract for construction by June 2021.

27% of our entire project would be covered by a Pollution Control grant. An additional 40% of construction costs (construction only) could be subsidized (we'd be building our project for 60 cents on the dollar). In order to qualify under "VT DEC Affordability Criteria" there are five criteria items (median household income, user costs, other demonstrated hardship, unemployment, and population trends). We definitely have the first two, the engineers could prove the third so we should be in good shape.

Total project costs (engineering + construction) is \$3.13 million, if we fix the collection system now the total cost is \$3.31 million. These cost estimates were prepared a year ago so as we move forward the engineers will refine the costs.

The current user rate is \$807 per equivalent unit (EU) per year/ \$67 per month. The cost of this project is estimated to be an additional \$24 per month (per EU).

The collection system work is not urgent. Because the new equipment is very similar to what we use now the operating and maintenance costs shouldn't increase significantly.

\$996,000 would come off project costs with the Pollution Control Grant, then 40% of construction costs of \$2.9 million would be \$1.1 million off the costs, now we are talking a little over one million in cost which would be the \$24 per EU cost increase. This assumes we are not moving forward with the collection system right now. It also assumes Operating and Maintenance costs will not change significantly because the new equipment will be similar.

Mr. Brown noted that the prior sewer increase took into account a \$700,000 bond, which was what the original project costs were estimated at. Mr. Smith responded that if we keep putting money into that account at that rate, we should be able to have funding for a new construction project in 20 years.

Mr. Brown questioned if we didn't update/upgrade the collection system/manholes now would we be able to come back in a few years and qualify for funding. Mr. Smith responded that the collection system work has already been approved in the PER so we would pick up the project at the design phase, figure out what the escalated cost would be and get on the priority list for funding for that project. If we go through the CWSRF program there will likely be grants and subsidies to offset the costs.

#### Schedule

May 2020 – finalize scope of project

May 2020 – authorize Step II Engineering

January 2021 – final design, 60% design submittal might be required by mid December 2020

March 2021 – bond vote

March 2021 – Step III agreement

April 2021 – bid process (1 month)

June 2021 – execute contract with contractor and begin construction

The schedule above puts us in the best position possible for the most advantageous funding. It is an achievable schedule but we need to get things moving. Deferring the project will be

very costly by exposing the town to state fines and legal action. Also, the 40% subsidy might disappear next year.

Moving Forward we need to move forward with the Median Household Income (MHI) survey, Mark Johnson of RCAP Solutions can perform the survey. We need the survey completed before the end of the year; it had been put on hold because of the pandemic.

Contract for the next step, there is a boiler plate contract the engineers use and the state will go through the contract with a fine tooth comb, survey, civil site design, process design, etc. the fee and scope will change depending on if we move forward on the collection system upgrades now. The EU increase would be about \$7 per month for about \$200,000 worth of work. Mr. DiCantio questioned at what point in the project will we know that we are getting subsidies because it makes a difference in if we move forward with the collection system or not. Mr. Smith indicated that Gig should call Tom Brown and Lynette Claudon to ask this question.

Mr. Brown suggested that the repairs to the collection system could be done piece-meal over time. Including the collection system in the project now allows for grants and subsidies. The Selectboard should decide which option is better to sell the project to the town for the bond vote.

MHI is \$55,395 for the entire town (not just sewer users) additional financial assistance would kick in when sewer use rates cross 2% of the MHI which would be \$1,108 per year.

There was quite a bit of discussion about inflow. Fortunately, our sewer lines are mostly ductal iron which holds up well because the joints are 18 feet apart, less joints equals a more efficient system. If there was opportunity to expand the sewer collection system to allow more users then repairs to the system would allow more waste load. As the system stands right now we are at about 50% capacity at each plant.

Mr. Corse questioned what the estimated costs per connection would be if we went back to meters, and how many systems don't use meters? Mr. Smith will send a report to Gig to share with the board, he indicated that many smaller sewer systems don't use meters. Mr. Smith noted that inspection of the meters to make sure they are working, the cost of installing new meters, meters that don't work correctly, calibrating the meters, etc. all add to the O&M costs. If people suddenly start conserving water the sewer budget will be in a deficit.

Mr. Edelstein questioned if there are towns in Vermont that have sold their sewer plants to private companies. Mr. Smith indicated he hasn't seen it in Vermont yet.

The next agenda should include an item to vote on whether to move forward with the collection system or not. We could invite Tom Brown to join us to give us more information about CWSRF program.

Redundant Parts some of our redundant parts are not working, they were not replaced because the sewer project was supposed to be in construction this year but is now delayed

another year. Dave DiCantio would like to replace/repair the parts now. The engineers confirmed tonight that these parts can be used in the new project. The board agreed that Mr.

DiCantio should move forward with the parts as long as it meets the purchasing policy. **A motion was made by Wayne Corse to authorize Dave DiCantio to purchase the parts and repairs needed to meet his permit as long as it follows the purchasing policy, seconded by Scott Reed, all in favor.**

### **Broadband: summary of discussion with Whip City**

The Broadband Committee held a meeting with Whip City Fiber (Westfield Gas & Electric) on April 29<sup>th</sup>. They are currently building in 20 towns in Mass. They are a public utility. Their construction schedule is packed for the rest of the year. They are familiar with applying for grants, but they don't provide any financing.

### **Highway Department: review and discuss gravel bid request**

Mr. Janovsky had prepared a draft gravel bid; it was edited over several days by various board members. The final bid was reviewed tonight. It was suggested to add that the bid might not be decided on the opening night so the bid should be good for two weeks. It was decided that wasn't necessary because most bids submitted are good for 30 days.

Discussion regarding leveling off a truck load to measure the load. Mr. Janovsky will clean up the wording some to include "the town reserves the right to level in truck body to check measure periodically".

Mr. Janovsky questioned if the board could prepare a uniform bid sheet. They said yes.

Mr. Janovsky noted that the highway department looks like it will have a good budget left over, he would like to order another \$10,000 in culverts even though that line item is maxed out, but his overall budget would cover the purchase. Mr. Corse agreed it's a good idea, the Dam Road will require lots of culverts. Salt is under budget, but sand is over budget.

Mr. Hammer questioned the status of the loader tires, Mr. Janovsky indicated they are on the next budget, not this current year.

Mr. Hammer also asked about the size of the fire truck for shipping. Mr. Edelstein is also trying to secure shipping.

### **Transfer Station: tire recycling**

On Monday afternoon we received a notice of the increase in prices to remove tires from the Transfer Station. Information was provided to the Selectboard to think about increasing our prices in the new fiscal year. Due to the late hour and the heavy agenda it was suggested to discuss increasing the Transfer Station fees at another meeting.

### **Corona/COVID-19 updates**

All employees have completed the required VOSHA training. Appropriate signage has been hung. Most departments have thermometers, all have been provided with daily health checklist.

Jennifer Herzig is very interested in the Hazard Pay Grant which would provide her (and possibly Dave DiCantio) with an additional \$1,000 per month in pay (March 13 to May 15).

This is a grant that each employer must apply for. There is no information for the grant available yet, the legislation was just approved last Friday. Gig questioned if the board was OK with applying for the grant when it became available.

The library would like to start offering curbside service. COVID rules require bathrooms and common spaces be cleaned three times per day. Ms. Aekus has been able to control the situation upstairs so far but when the library is open it would be very difficult, the board was questioned if they had any suggestions.

Information received today from VLCT indicates that municipalities must have a COVID-19 Exposure Control Work Plan. Gig provided a draft plan provided by the ACCD, today we received a model plan from VLCT. Gig will begin customizing the VLCT model for adoption at the next meeting.

The Governor's Executive Order, Addendum 13, issued today, effective tomorrow, allows "Play Smart and Play Safe" a phased restart of outdoor recreation. Municipal parks are allowed to reopen for Vermonters to "arrive, play and leave" (Whitingham never official closed our parks). Groups may not congregate before or after activities. We are to post signage that reinforces that outdoor facilities are only open to Vermonters and those who have met the 14-day quarantine requirement; post signage discouraging contact sports and games; remove picnic tables, close play structures; restroom facilities may only be opened if they can be regularly cleaned and disinfected in accordance with VDH/CDC guidelines. Gig contacted Best Septic and asked them not to deliver the potties to Town Hill yet. Mr. Boyd, Chair of the Parks Committee, responded that this isn't a one size fits all plan, we are making an honest effort at due diligence. He doesn't feel we can close the equipment and we can't remove the picnic tables because they are cemented in. The rules don't fit Whitingham. The Parks Committee will make and post the required signs.

**Approval of Payables Warrant dated May 7, 2020**

**A motion was made by Craig Hammer to approve the Payables Warrant #W2046 dated May 7, 2020, seconded by Scott Reed, all in favor.**

**Approval of Payroll Warrant dated May 7, 2020**

**A motion was made by Wayne Corse to approve Payroll Warrant #W2045 dated May 7, 2020, seconded by Scott Reed, all in favor.**

**A motion was made by Wayne Corse to authorize Scott Reed to sign both Warrants, seconded by Wayne Wood, all in favor.**

**Approval of Minutes of April 22, 2020**

Mr. Corse asked for clarification on Mr. Wood's statement at closing of the last meeting, Mr. Wood responded.

**A motion was made by Wayne Corse to approve the Minutes of April 22, 2020 with the addition of "Mr. Corse asked if the fire truck had insurance placed on it. Mr. Janovsky**

**said no. Mr. Reed said it should be. Mr. Janovsky said he would add it tomorrow.”  
Seconded by Phil Edelstein, all in favor.** Mr. Janovsky said it is insured now for \$100,000.

**Other business / Office Administrator – as needed**

Schedule special meeting to review Open Meeting Law requirements and possible update procedures and to discuss best ways to move forward with Junk

Mr. Reed questioned if we wanted to invite attorney Fisher at the meeting. Phil Edelstein suggested we could follow up with Mr. Fisher if needed. We will remove Junk from the agenda of the special meeting which has been schedule for May 13<sup>th</sup> at 6:30pm.

We will invite Mr. Fisher on the 20<sup>th</sup> to discuss junk.

Discuss remote meeting: which service to use, “information handout for remote meetings” and script

We can talk about the information handout and the script at the special meeting next week.

Mr. Edelstein suggested switching to GoToMeeting because Zoom has security issues. We will use GoTo from now on and cancel our Zoom subscription.

Discuss resignation of ZBA Chair and openings available on ZBA and Planning Commission

David Dumaine submitted his letter of resignation from the Zoning Board of Adjustment on May 1, 2020. A full ZBA would have 7 members, with Mr. Dumaine’s resignation we now have 5. The Planning Commission currently has 4 members out of a 5 member board.

Mr. Janovsky mentioned combining the two boards. Seth Boyd suggested that the Selectboard might want to consider if switching to a Design Review Board would benefit the town. Mr. Edelstein noted that Brad Lackey, Chair of the Planning Commission, is a great resource to the town.

**A motion was made by Wayne Wood to authorize Scott Reed to sign the thank you letter to David Dumaine, seconded by Craig Hammer, all in favor.**

Discuss lockbox for tax (and other) payments To reduce some traffic in the town clerk’s office Ms. Aekus would like to install a lock box near the kiosk out front. The lockbox will be built and donated by Gordie Moore. It will be installed on a concrete pad. It will have an envelope slot and lock. The board agreed it’s a good idea.

**Adjourn**

**A motion to adjourn was made by Scott Reed, seconded by Phil Edelstein, all in favor.**

Wayne Wood adjourned the meeting at 9:40pm.

Respectfully submitted,  
~Gig Zboray