



**Town of Whitingham
Office of the Selectboard**

MINUTES OF JULY 15, 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 site visits at 5:30pm and then a regular meeting and hearing at 6:30pm in the dining hall of the Whitingham Municipal Center on Wednesday, July 15, 2020.

Selectboard members present at the site visits: Wayne Wood, Scott Reed, and Craig Hammer.

Others present at the site visits: Gig Zboray, Selectboard Office Administrator, Stanley Janovsky, Road Commissioner; Robert Fisher, Town Attorney. Kathy and Robert Lapointe attended the site visit at Sprague Brook Road. Doug and MaryLou LaPlante attended at Head of Pond Road.

Selectboard members present at the meeting and hearing: Wayne Wood, Scott Reed, and Craig Hammer. Phil Edelstein attended remotely starting at 6:47pm.

Others present at the meeting and hearing: Gig Zboray, Selectboard Office Administrator; Stanley Janovsky, Road Commissioner; Robert Fisher, Town Attorney; Almira Aekus, Town Clerk/Treasurer; Richard Lemaire, Allan Twitchell, Martha Phelps, Greg Brown, Terrie Dumaine, and Wayne Corse, residents. Dave DiCantio, Chief Sewer Plant Operator; Lynette Claudon, ANR Water Investment Division; and Shane Mullen, Weston & Sampson Engineer attended remotely. John Lyddy, resident arrived at 7:30pm.

Call to Order. Additions or Changes to Agenda

Wayne Wood called the meeting to order at 6:33pm reading the remote meeting script. There were some additions to the agenda since it was posted.

Hearing regarding proposed changes to road classifications of the Municipal Center entrance, Sprague Brook Road and Head of Pond Road. Motions as needed.

Wayne Wood declared the public hearing open. These sites were visited earlier in the evening. The purpose of this hearing is to hear from concerned residents. The public good, necessity and convenience must be determined in order for the Selectboard to make the reclassifications. Within sixty days they must provide a written decision.

Municipal Center entrance

Mr. Brown stated his support of this layout of a new town highway.

A motion was made by Scott Reed to layout a Class 3 town highway 40' long by 82' wide at the Municipal Center entrance, seconded by Craig Hammer, 3 in favor (Mr. Edelstein not in attendance yet).

Sprague Brook Road

Martha Phelps questioned the purpose of discontinuing the road and why she notified because she is so much higher up the road than the portion to be discontinued. Attorney Robert Fisher noted it was better to err on the side of caution when notifying abutters. She questioned if it will become a snowmobile trail, the answer was that it reverts back to the abutting property owners. Mr. Corse stated he is in favor of discontinuance of the road. During the site visit Kathy & Robert Lapointe stated that were in favor of the discontinuance. **A motion was made by Scott Reed to discontinue Sprague Brook Road (town highway #46) in its entirety; the property to return back to the abutting landowners; seconded by Craig Hammer, 3 in favor (Mr. Edelstein not in attendance yet).**

Head of Pond Road

Mr. Brown noted that this reclassification would help with highway funds. Doug and Marylou LePlante expressed their favor of this during the site visit. **A motion was made by Wayne Wood to reclassify 1700 feet of Head of Pond Road (town highway #37) from Kentfield Road to the turnaround from a Class 4 to a Class 3 road, seconded by Craig Hammer, 3 in favor (Mr. Edelstein not in attendance yet).**

Mr. Fisher will draw up the findings as required by statute for the next meeting.

The hearing was closed.

Sewer Departments:

Environmental Review of sewer project

Shane Mullen of Weston & Sampson conducted an Environmental Review hearing as required for the sewer project. He provided a brief overview of the project: we are replacing the aged process treatment equipment and bringing the buildings up to code, will not extend the service area of the system. The collection system was also reviewed, and repairs will be designed. The project is funded through the State of Vermont Clean Water State Revolving Fund (CWSRF). The purpose of this hearing is to come up with a "finding of no significant impact" (fonsi) determination in order to proceed with the project.

Shorelands – the Whitingham plant is along the shore of Harriman Reservoir, no new areas will be disturbed, one manhole behind the plant will be repaired.

Historic Preservation – concerns with historically significant buildings and archaeological resources, buildings are not more than 50 years old, no new areas are to be disturbed so the project shouldn't affect any archaeological issues.

Floodplains – FEMA flood map shows Jacksonville in the 100-year flood zone, the Jacksonville plant could potentially be in the flood hazard area and the engineers will conduct a study to determine if it actually is. If the building proves to be, design will address it appropriately.

Updates on project

Kick-off meeting was held last week, trying to get design completed before the end of the year to help with funding options and to be ready for construction next year. A schedule of

deliverables was presented and nitty gritty details were discussed with architects, engineers and sewer plant operator.

Review and sign DEC certification This document does not change the cost of the project it just lays out the expenses in a format that can be reimbursed by the CWSRF program. **A motion was made by Craig Hammer to appoint Wayne Wood to sign the DEC certification, seconded by Scott Reed, all in favor.**

Hearing of visitors (for concerns not on the agenda)

Phil Edelstein expressed his concern that the Transfer Station backup attendant was not wearing a mask.

Discuss Municipal Center reopening – senior meals, library, rental of hall

Terrie Dumaine asked if senior meals could begin serving meals in the dining hall again. The state does not have a date or a plan yet for such a reopening. Senior Solutions was consulted, Wendi Germain at (802) 885-2679 said she is not aware on any congregant meals being reopened to the public in the state at this time. Ms. Dumaine noted that she is willing to clean the bathrooms when allowed to serve again. On average she had 30-40 maybe 45 people attended meals before the pandemic. She noted that all Meals on Wheels clients still receive their meals and approximately 40 people come to pick up meals. The board will wait for guidance from the state and Senior Solutions before approving the request.

The library sent an email regarding their plans for reopening with a copy of an approved plan.

A resident already had the hall rented for August 22 before the pandemic hit for a bridal shower, 20 people expected, all VT residents. Because this was pre-scheduled the board approved it. They will wait for further state guidance before opening the Municipal Center fully to the public or for rentals.

Junk – hearing of visitors

John Lyddy came to the table. The address he lives at received a junk letter. His household only has one car that is unregistered. One man's junk is another man's treasure. He questioned how the board defines junk, suggesting a definition in the Ordinance would help. He recommends that the board address the major offenders directly rather than send a letter.

Mr. Wood noted that there are already 3 or 4 properties cleaning up as a result of the letter.

Highway Garage Committee: review and approve engineer's proposal, discuss how to approve expenses of the committee

Allan Twitchell and Richard Lemaire came to the table. The Highway Garage Committee had a free consultation with an engineer on Friday, July 10th. The engineer has provided a proposal to prepare a report listing the constraints of the current site, the initial evaluation of the town garage, proposed needs, etc. His proposal lists a cost of approximately \$6,000. The purpose of the engineer's report is to provide the taxpayers with information of why the current site is not feasible for garage improvements. **A motion was made by Craig Hammer to approve Steven's & Associates proposal (with a cost of approximately \$6,000), seconded by Scott Reed, all in favor.** Mr. Wood signed the proposal.

At Town Meeting 2020 \$50,000 was appropriated for a “Town Highway Garage Renovation and/or Replacement Fund”. The Committee received clarification that they must ask for the Selectboard’s approval to spend those funds.

Accept resignation of Wayne Corse, discuss next steps

Wayne Corse submitted an email dated July 10, 2020 resigning from the Selectboard and the Broadband Committee; he offered to stay on the Deerfield Valley CUD committee if the board approved. His resignation was accepted, **a motion was made by Craig Hammer to accept the resignation of Wayne Corse from the Selectboard and Broadband Committee, seconded by Scott Reed, all in favor. A motion was made by Scott Reed to appoint Wayne Wood to sign the letter of acceptance of resignation, seconded by Craig Hammer, all in favor.** The board approved Mr. Corse continuing on the Deerfield Valley CUD committee.

The board discussed their 3 options to fill the vacancy and decided to post a notice asking for interested persons to notify the board of their interest to serve. Due to the pandemic they did not want to call for an election at this time. If the voters are opposed to the appointed replacement, they can petition for a special election.

A motion was made by Scott Reed to appoint Wayne Wood to sign the Notice of Vacancy as written (asking interested persons to submit a letter of interest before August 11, 2020), **seconded by Craig Hammer, all in favor.**

Greg Brown noted that due to COVID-19 it is important to have continuity on the board and to fill the position as soon as possible in case board members become sick and can’t attend meetings.

Highway Department:

Updates The State of Vermont notified Mr. Janovsky that there won’t be any grant information until maybe September. The paving grant and structures grant are on hold.

Review and approve backhoe bid Mr. Janovsky noted the spec sheet is pretty basic, the board reviewed it. **A motion was made by Scott Reed to approve the bid sheet for the backhoe so Mr. Janovsky can send it out to the four providers discussed at prior meeting, seconded by Phil Edelstein, all in favor.** Bids will be opened at the August 12th meeting.

Corona/COVID-19:

Consider Zoom for remote meeting access GoTo Meeting has been consistently problematic, Gig requested that we return to using Zoom for remote meeting access. The board approved returning to Zoom.

Discuss purchase of remote meeting equipment A “Meeting Owl” was recommended as a useful piece of equipment to enhance our remote meetings. The cost is \$999. **A motion was made by Wayne Wood to go ahead and purchase the Meeting Owl, seconded by Phil Edelstein, all in favor.**

Consider request from Unity Lodge #89 to hold an event on Municipal Center lot

When the pandemic started the Mason's Lodge was next in line to have a bingo event but it was cancelled. They would like to host a drive-in bingo event on the Municipal Center lot. They will follow health and safety protocols, the bathroom will be monitored and disinfected after every use. **A motion was made by Craig Hammer to allow the drive-in bingo event, seconded by Scott Reed, three in favor, Mr. Wood abstained.**

Consider request to host a softball tournament on August 22 and 23

The current requirements were discussed. The board is not in favor of an event at this time.

Set the tax rate

Almira Aekus came to the table and suggested the Municipal Tax Rate to be set at \$.766 per \$100 and the local agreement rate at \$.0035. **A motion was made by Scott Reed to set the 2020/2021 municipal tax rate at \$.766 per \$100 and the local agreement tax rate at \$.0035, for a combined tax rate of \$.7695 per \$100 as recommended by the Town Treasurer, seconded by Phil Edelstein, all in favor.**

Last year the residential combined rate was 2.6567. The projected 2020 rate would be 2.5457, a decrease of .1111.

Last year the non-residential combined rate was 2.2297. The projected 2020 rate would be \$2.3163 an increase of .0866.

The Vermont Department of Taxes provided the Education Tax Rates for Fiscal Year 2021 – the Non-Homestead Tax Rate is \$1.5468 and the Homestead Tax Rate is \$1,7762.

Approval of Payables Warrant – July 16, 2020

A motion was made by Craig Hammer to approve the Payables Warrant #W2104 dated July 16, 2020, seconded by Scott Reed, all in favor.

Approval of Payroll Warrant – July 16, 2020

A motion was made by Craig Hammer to approve Payroll Warrant #W2103 dated July 16, 2020, seconded by Phil Edelstein, all in favor.

Approval of Minutes of July 1, 2020

Stanley Janovsky requested that a note be added to the July 1st Minutes that his vacation time, etc. that is currently banked is valued at about \$32,000. Gig will listen to the recording and adjust the Minutes. **A motion was made by Wayne Wood to amend the Minutes of July 1, 2020 as requested by Stanley Janovsky, seconded by Scott Reed, all in favor.**

Flood resiliency:

Update on FEMA buyout Gig notified the board that in order to proceed with the FEMA buyout of the Kingsley property an "Archaeological Resource Assessment" is required. The grant includes \$2,000 for such an assessment. Gig will work with WRC to get price quotes and get the process moving.

Scoping Study update and appoint “Municipal Representative in Responsible Charge”

Gig and John Bennett of WRC are working on the Request for Proposals to solicit engineers to conduct the Scoping Study of the culvert. There are two options available to solicit engineers; the first is the usual RFP process, the second is the “at the ready” process which uses VTrans pre-approved engineering firms. In order to work with Mr. Bennett to make the selection of engineering firm Gig should be appointed “Municipal Representative in Responsible Charge”.

A motion was made by Wayne Wood to appoint Gig Zboray as “Municipal Representative in Responsible Charge” for the scoping study project, seconded by Craig Hammer, all in favor.

Other business / Office Administrator – as needed

Broadband Mr. Edelstein prepared a report of the current status of Broadband, he asked that if anyone has any questions to please send an email to Gig.

Consider cancelling July 29th meeting and appointing Selectboard member to sign Warrants:

Gig will be working at home the week of July 27th due to self-quarantining guidelines. **A motion was made by Wayne Wood to cancel the July 29th Selectboard meeting and to appoint any one Selectboard member to sign the Warrants of July 30, 2020, seconded by Scott Reed, all in favor.**

Dog Licensing Ms. Aekus requested that dog license deadline be extended to September 1st because many veterinary offices are still closed and people are having a difficult time getting the rabies vaccine update, the board approved.

Flowers Mr. Janovsky noted that the flower barrels around town look great.

Response from VTrans Mr. Janovsky questioned what the board thought of the response from VTrans to our letter of complaint. Laughter ensued.

Adjourn

A motion to adjourn was made by Scott Reed, seconded by Wayne Wood, all in favor.

Wayne Wood adjourned the meeting at 8:29pm.

Respectfully submitted,
~Gig Zboray