



**Town of Whitingham
Office of the Selectboard**

MINUTES OF AUGUST 12, 2020 as corrected

The Whitingham Selectboard held a regular meeting at 6:30pm in the dining hall of the Whitingham Municipal Center on Wednesday, August 12, 2020.

Selectboard members present: Scott Reed and Craig Hammer. Phil Edelstein attended remotely.

Others present: Gig Zboray, Selectboard Office Administrator, Stanley Janovsky, Road Commissioner; Almira Aekus, Town Clerk; Richard Lemaire, Chris Walling, Lyman Tefft, Seth Boyd, and Martha Phelps, residents. Kathrine Anderson, resident, attended remotely.

Call to Order. Additions or Changes to Agenda

Scott Reed called the meeting to order at 6:32pm reading the remote meeting script. There were 3 additions to the agenda since it was posted: Sewer Department – review proposals to perform Hazardous Materials Assessment on sewer plants; WiFi at Town Hill update; and Flood Resiliency Project RFP.

Hearing of visitors (for concerns not on the agenda)

none

Selectboard vacancy:

Letters of interest were received from Greg Brown, Lyman Tefft and Chris Walling. Chris Walling & Lyman Tefft gave brief summaries of themselves to the board. Questions were asked and answered. **A motion was made by Craig Hammer to table the filling of the vacancy until next meeting, seconded by Phil Edelstein, all in favor.** The board felt it was important to allow Chairman Wood to cast his vote on the decision.

Highway Department:

Open backhoe bids Mr. Janovsky suggested that the board not select a bid tonight, he would like more time to review the specs of each bid submitted. None of the brands were tested; Mr. Janovsky noted that didn't work out so well with the recent purchase of the loader. Mr. Reed would like to see the crew try them out.

JCB model 3CX 15H FCE, \$151,377.60 less \$1,000 warranty credit, less \$15,000 trade, total \$135,377.60.

Case model 590SN, \$119,986 less \$18,000 trade, total \$101,986.

John Deere model 410L, \$133,500 less \$9500 trade, total \$124,000.

Catapiller model 430, \$141,500 less \$30,000 trade, total \$111,500.

Mr. Janovsky will review all the specs and make a recommendation to the board at the next meeting. Mr. Hammer suggested the need for emissions warranty.

A motion was made by Craig Hammer to table the backhoe bid decision until next meeting to allow Mr. Janovsky time to review them, seconded by Scott Reed, all in favor.

Review and approve attorney's write up of findings of July 15, 2020 hearing

The board reviewed "Findings and Decision on Laying Out of new Highway at Municipal Center (Town Highway #)", "Findings and Decision on Discontinuing Sprague Brook Road (Town Highway #46)" and "Findings and Decision of Reclassifying Head of Pond Road (Town Highway #37).

A motion was made by Craig Hammer to approve and sign the Findings and Decision on Laying Out of new Highway at Municipal Center (Town Highway #___), seconded by Phil Edelstein, all in favor.

A motion was made by Phil Edelstein to approve and sign the Findings and Decision on Discontinuing Sprague Brook Road (Town Highway #46), seconded by Craig Hammer, all in favor.

A motion was made by Craig Hammer to approve and sign the Findings and Decision on Reclassifying Head of Pond Road (Town Road #37), seconded by Scott Reed, all in favor. This motion changes Head of Pond Road from a Class 4 to a Class 3 town highway.

Discuss complaint about East Road Mr. Janovsky noted that East Road is a Class 4 road with a bad hill, he ~~he~~ **the road crew** brought in milling material and rolled it down (a few days before the hurricane). The culverts were supposed to be fixed by the homeowner a long time ago, they were dug up and moved and were never put back properly. The complaint received wants the town to fix the culverts. Mr. Janovsky doesn't mind putting in culverts, but it is a tough spot, he suggests putting one culvert in. The hill is better now than it was. For a Class 4 road it is one of the better ones.

Discuss taking over Murdock Lane The procedure to change the classification of Murdock Lane is the same process as what we just went through for the other classifications. However, in order for the town to take it over it needs to be up to standards for a Class 3 road. Either the board can make a motion, or a petition can be submitted with signatures of 5% of registered voters. There was concern that because Murdock Lane is in the Ryder Pond Association it is likely that they would want all the roads taken over.

Uniforms Our five-year contract is up with Unifirst in October. We are spending almost \$13,000 a year on uniforms for the Highway Department. The crew would be happy with a \$1,000 clothing allowance per year rather than using a company. Ms. Aekus questioned if it would be a reimbursement? Yes. Mr. Lamaire asked if safety jackets were part of uniforms. No. Mr. Boyd suggested that a uniform policy should be created to show what would qualify

for reimbursement before making a motion to change procedure. Gig will look into a model policy.

Community Project:

Martha Phelps requested support from the board for a Community Project she would like to organize. She would like to display handmade flags on the outside perimeter of the parking lot at the Municipal Center. Mr. Hammer suggested the flags be flown at Town Hill. Mr. Tefft noted that there is more exposure to the public here at the Municipal Center allowing more opportunity for folks to read the flags. Ms. Phelps would be happy with Town Hill as the final hanging place. After much discussion it was agreed that Ms. Phelps would review all the flags to make sure there was no political or hate speech on them. She would like the project completed and displayed in time for fall foliage.

A motion was made by Craig Hammer to allow Ms. Phelps to go ahead with the community project with the understanding that she will monitor the flags to make sure there is no political or hate speech, seconded by Scott Reed, all in favor.

Bone Builders request to use multipurpose room:

Martha Phelps requested permission to resume Bone Builders activities at the Municipal Center. There have been 2 members doing bone builders by telephone to keep the group going during the pandemic. The prior leaders are not interested in continuing. Ms. Phelps has found a new trainer and has 4 seniors interested in coming back to the program at the Municipal Center. It was Mondays and Fridays from 10:30 to 11:30. Mr. Hammer asked who would do the cleaning after. Ms. Phelps noted she would do it.

The board agreed to allowing Bone Builders back into the building as long as they stay 6 feet apart, wear a shield, take their temperature upon entering, and do a thorough cleaning after as well as keeping contact information for contact tracing.

Fire Department: discuss request to purchase our fire truck

Mr. Janovsky would like the board to start thinking about how they want to sell the fire truck when the time comes, he suggests a sealed bid process with a minimum of \$2,000 and see what offers we get. Once the new truck is in service and all the bugs are worked out Mr. Janovsky will put together information about the old truck to put out to bid. The 3 board members present agreed that the sealed bid process is the way to go.

Sewer Department:

discuss selling sewer pump currently at garage

There is an old trailer jet pump that belonged to the Sewer Department but has been at the highway garage for over a decade because it doesn't work. The board agreed to sell it to Jay McIntyre for \$100.

review 3 proposals and choose contractor to perform hazardous materials assessment

A required step in the sewer project is to perform a hazardous materials assessment before construction begins. The engineers solicited three proposals which were reviewed by the Selectboard. **A motion was made by Phil Edelstein to accept the proposal submitted by Clay Point as recommended by the engineers, seconded by Craig Hammer, all in favor.**

Appoint Karen Hein to Economic Development Group to fill vacancy

Seth Boyd noted the EDG's recommendation to appoint. **A motion was made by Phil Edelstein to appoint Karen Hein to the EDG, seconded by Craig Hammer, all in favor.**

Corona/COVID-19: discuss hiring IT professional to run remote meetings

There have been complaints about remote meeting access, sound quality, loss of internet, etc. during Selectboard and other meetings. A suggestion was made to hire a professional Information Technology specialist to set up and run these meetings because town employees have not been trained to handle the intricacies of all that is involved in remote meetings. Gig and Almira will create an ad to see what response we get. The next meeting has an agenda item to discuss Cyber Security.

Municipal Center:

discuss lighting in Town Clerk's office

Ms. Aekus received a proposal from JC Electric in the amount of \$4,500 to upgrade 20 existing lights in the Town Clerk's Office and 3 hallway lights. There is money in the Municipal Center budget. **A motion was made by Scott Reed to update the electric and change the lights in the Clerk's Office, seconded by Phil Edelstein, all in favor.**

review proposal to stain windows

Two proposals were solicited to stain the recently installed windows at the Municipal Center but only one was received. The Selectboard reviewed the proposal. **A motion was made by Scott Reed to accept the Proposal dated June 23, 2020 from RSI Floors and Walls, Inc. in the amount of \$2,040 to stain and urethane 23 windows on the main floor as well as refinish the windows sills and trim, seconded by Craig Hammer, all in favor.**

Town Clerk: land records software

In the CARES Act there is grant money to go with web-based land records. Ms. Aekus is seeking 2 bids right now. The grant would be about \$20,000, we have 60 years of land records already scanned and ready. If we get the grant the land records would no longer be NEMRC. The board approved of Ms. Aekus proceeding with bids from the 2 companies.

Approval of Payables Warrant – August 13, 2020

A motion was made by Craig Hammer to approve the Payables Warrant #W2108 dated August 13, 2020 with the addition of a payment of \$500 to RSI, seconded by Phil Edelstein, all in favor.

Review and approve Amended Payables Warrant from July 30, 2020

The payables warrant from July 30, 2020 that was signed by Wayne Wood did not include an automatic payment to the state and federal governments for taxes. **A motion was made by Craig Hammer to approve Amended Payables Warrant #W2106 dated July 30, 2020 as corrected, seconded by Scott Reed, all in favor.**

Approval of Payroll Warrant – August 13, 2020

A motion was made by Craig Hammer to approve Payroll Warrant #W2107 dated August 13, 2020, seconded by Scott Reed, all in favor.

Approval of Minutes of July 15, 2020

A motion was made by Phil Edelstein to accept the Minutes of July 15, 2020 as written, seconded by Scott Reed, all in favor.

Other business / Office Administrator – as needed

Lions Club request to place sign in front of fire house The Lions place a sign advertising the Hungry Lion Bike Tour each year in front of the Jacksonville Fire House, because this is a new Selectboard Gig suggested they get permission. The Selectboard approved the Lions Club request to place the sign.

Wi-Fi Signal at Town Hill Gig noted that we received an email from the Village of Jacksonville Electric Company stating: “The board of Trustees of the Village of Jacksonville Electric Co have approved the installation of the VTel hotspot at Town Hill. We are happy to donate this space and the electric usage the hotspot will need to run.”

Flood Resiliency Project Gig provided a Request for Proposal for engineering services to perform the scoping study for the flood resiliency project in front of the Municipal Center. The RFP will be posted on Friday.

Sand Bid Mr. Janovsky questioned if Mr. Edelstein finished the bid outline he volunteered to create. Sand bid needs to go out in a few weeks.

Playground Equipment Mr. Janovsky asked Mr. Boyd if the playground equipment that was delivered to the highway garage needs to stay on his floor or if it can go outside. Mr. Boyd indicated that he is hoping the highway crew will install it, he will get together with Mr. Janovsky about it.

Executive Session – Education Funding Lawsuit **A motion was made by Scott Reed to find that premature general public knowledge regarding the town’s education funding litigation would clearly place the town at a substantial disadvantage if its legal strategy was made public, seconded by Craig Hammer , all in favor.**

A motion was made by Scott Reed to enter into executive session to discuss education funding litigation under the provisions of Title 1, Section 313(a)(1)(A) of the Vermont Statutes to include Gig Zboray, Adam Waite, Robert Fisher, Seth Boyd, and Almira Aekus, seconded by Craig Hammer, all in favor.

With no decisions made Executive Session was exited at 9:09pm.

A motion was made by Scott Reed to appoint Adam Waite and James Valente to discern the best candidate(s) willing to participate to be agent to represent the town in the Education Funding Lawsuit, seconded by Phil Edelstein, all in favor. Mr. Boyd volunteered to reach out to the potential candidates to see if they are willing to participate.

Adjourn

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

Scott Reed adjourned the meeting at 9:12pm.

Respectfully submitted,
~Gig Zboray