



**Town of Whitingham
Office of the Selectboard**

MINUTES OF AUGUST 26, 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 at 6:30pm in the dining hall of the Whitingham Municipal Center on Wednesday, August 26, 2020.

Selectboard members present: Wayne Wood, 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, and Lyman Tefft, residents; David Mahoney, VT Connections. Ryan Sanderson of VT Cyber attended remotely. Seth Boyd and Kristine Sweeter, residents attended remotely. Alan Sousa, property owner in person. Jen Herzig attended remotely.

Call to Order. Additions or Changes to Agenda

Wayne Wood called the meeting to order at 6:30pm reading the remote meeting script. There were a few additions and changes in the order to the agenda since it was posted.

Hearing of visitors (for concerns not on the agenda)

Richard Lemaire is concerned about the flag project discussed at last meeting. He feels it shouldn't be put on public property because of the religious aspect. Mr. Tefft indicated the root of the project is Hindu prayer flags. Mr. Hammer provided some background from the last meeting; Mrs. Phelps will monitor the flags to make sure there is no political or hate speech. The Selectboard gave her permission to hang the flags during the last meeting.

Alan Sousa owns property on Plumb Road, over the last 3 years there has been work done on the road which has resulted in drainage issues on his property. He complained that after the highway crew retrenched along the road his property had much more run off resulting in frost heaves in his driveway.

Mr. Janovsky responded that the town ditched down both sides of Plumb Road. The bulk of the water comes from Town Hill. Mr. Sousa complained about trees coming down because of the "swamp" that is now there because of a change in the water flow the town made. There is a break in the ditch and a tremendous amount of water comes onto his property.

The town's right of way is 25' from the center of the road. Mr. Sousa complained that a butterfly bush and other plantings were brush-hogged away that were beyond the 25'.

Mr. Janovsky would like the Selectboard to go look at the road. He noted Plumb Road is a Class 3 road. He thinks the fix is to go back to the original trench and dig it deeper, but it would

need to be on a neighbor's property. A site visit is scheduled for Wednesday, September 2 at 5:30pm. Mr. Sousa departed.

Selectboard vacancy-fill seat:

Letters of interest were received from Greg Brown, Lyman Tefft and Chris Walling. A letter was also received from Richard Lemaire but it was received after the deadline posted in the legal notice. Gig spoke with Attorney Fisher and consulted VLCT and they indicated that the board may fill the position as they see fit (i.e. appoint any of the four interested, call for an election, or appoint AND call for an election). Attorney Fisher referred Gig to Title 24 of Vermont Statutes Sections 961, 962 and 963.

Election info: Notice must be posted in the newspaper of record that the town is accepting petitions for the vacant position; 6 Mondays before the election petitions for office are due, election day must be warned for 30 days so we are looking at posting a notice asap in and around town; in the DV News for two weeks (September 4th and 11th), petitions would be due September 14th, and election would be October 13th.

A motion was made by Scott Reed to hold a special election on October 13, 2020 to fill the Selectboard vacancy, seconded by Phil Edelstein, 3 in favor, Mr. Hammer voted nay, motion passed.

Cyber Security/IT Services

David Mahoney of VT Connections addressed the board. Managed IT Department (MID) with Cyber Security would be included in the flat monthly fee which includes labor for any technology issues that might come up. A "server" would be an additional \$250 per month.

Ryan Sanderson of VT Cyber addressed the board.

Everyone will read all the documents again and the topic will be on the next agenda.

David Mahoney and Ryan Sanderson exited the meeting.

Personnel: carry over of vacation and/or sick leave

Mr. Janovsky noted that if changes are made the Personnel Policy needs to be updated. His goal was to make it known to certain people that he lost a lot of money by losing comp time in the past. Because he is elected, he feels that he should allow his employees to have priority in vacation scheduling. Ms. Aekus suggested hiring a part time person to fill in during vacation time. Discussion ensued around "buy back" of vacation time; perhaps a discounted rate and a cap of the number of hours. Gig will check with VLCT to see if they have any suggestions.

Highway Department:

Accept a backhoe bid At the August 12th meeting Mr. Janovsky opened the following bids:

JCB model 3CX 15H FCE, \$151,377.60 less \$1,000 warranty credit, less \$15,000 trade, total \$135,377.60. The municipal discount was omitted, so the real amount is approximately \$105,000.

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

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

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

The highway crew tried out all the backhoes. Mr. Janovsky and his crew recommend the board accept the Caterpillar bid. Case would have been their second choice.

A motion was made by Scott Reed to accept the backhoe bid submitted by Caterpillar, seconded by Craig Hammer, all in favor.

Discuss school parking lot problems for plow

Mr. Janovsky heard a rumor that paving the parking lot is in the school budget. Two A frames were ruined by the deteriorating condition of the pavement during plowing by the town. Mr. Janovsky will contact James Walker to find out if they will be paving and when it is scheduled to be done.

Old Business: Murdock Lane A letter was received, signed by six property owners of Murdock Lane, requesting that the town take over Murdock Lane. The board can make it's own motion to layout a town highway at Murdock Lane but the town attorney warned of the precedence that would be set by such a motion.

The board decided that a petition is in the best interest of the townspeople. A response letter was reviewed to notify the residents of Murdock Lane that a petition is required, it must be signed by 5% of the legal voters in town.

A motion was made by Craig Hammer to appoint Mr. Wood to sign a letter addressed to Chris Walling to notify him that a petition is required for the town to consider taking over Murdock Lane, seconded by Scott Reed, all in favor.

In looking at state statute about the above it was discovered that a final step in the discontinuance of Sprague Brook Road was overlooked. Gig will write a letter to the Commissioner of the Department of Forests, Parks and Recreation to notify of the discontinuance as required.

Old Business: Uniforms At the August 12th meeting it was noted that our five-year contract is up with Unifirst in October. Gig is still working on getting a draft Uniform Policy from VLCT. Gig will look into setting up an account with Wear Guard, Runnings and/or Tractor Supply for the crew to be able to purchase uniform items.

Library:

Request for air conditioning and air circulator

A letter was received from the Library requesting that the town install air conditioning and an air circulation unit in the library. They feel both items would improve public health concerns of the COVID-19 virus. Mr. Hammer feels that the library has its own budget and the cost should come out of their budget. The building is upgraded and maintained by the municipal

building budget. The library does not have a building budget. Gig has scheduled an estimate from W2D Plumbing.

Request to resume ping-pong and craft group

A group of seniors would like to restart playing ping-pong in the dining hall of the Municipal Center on Tuesdays. Martha Phelps will provide face shields and clean after. Hygiene is important.

The library would like to restart Craft Group (whenever the schedule allows) in the dining hall to be monitored and cleaned by Kristine Sweeter.

A motion was made by Wayne Wood to allow the restart of ping-pong and craft group as long as they clean the room and bathroom(s) after themselves, seconded by Craig Hammer, all in favor.

Post meeting note: Both groups should keep contact information for attendees in case of a Corona outbreak.

Corona/COVID-19:

Reconsider petition requirement for appropriations

Several agencies have contacted Gig asking if petitions will be required. Gig informed them that the board deferred a decision until November. They requested a decision now because it will take longer to get signatures in this COVID environment, and it will require a different method to protect the health of signers. Ms. Aekus suggested that if it is an agency that received money in 2020 they can write a request for the same amount without a petition in 2021. If it is a new agency or a new amount they would need a petition this year.

A motion was made by Scott Reed to temporarily change the Appropriations Policy due to the COVID-19 pandemic to allow agencies that had a voter approved appropriation at the March 2020 Town Meeting to request in writing (not email) the same amount for 2021; if the amount is different or it is a new agency a petition will be required, seconded by Craig Hammer, all in favor.

Lions Club request to rent meeting hall

The Lions club requested permission to use the dining hall one or two times per month for their meetings. The Selectboard agreed that the Lions can use the meeting hall as long as they take responsibility to clean the tables, chairs and bathrooms. Gig will respond with an email.

Post meeting note: The Lions Club should keep contact information for attendees in case of a Corona outbreak.

Junk:

Mr. Edelstein questioned if we have seen improvements as a result of the letter that was sent. He questioned if we should wait a while or pursue it further at this time. Board members noted that there have been some improvements as a result of the letter. Mr. Reed suggested another ride around town when the leaves fall to review the list again.

Approval of Payables Warrant – August 27, 2020

A motion was made by Craig Hammer to approve the Payables Warrant #W2110 dated August 27, 2020, seconded by Scott Reed, all in favor.

Approval of Payroll Warrant – August 27, 2020

A motion was made by Scott Reed to approve Payroll Warrant #W2109 dated August 27, 2020, seconded by Phil Edelstein, all in favor.

Approval of Minutes of August 12, 2020

Mr. Janovsky asked that a change be made to note that the road crew brought in the milling material to East Road, not just him (change the word “he” to “the road crew”).

A motion was made by Phil Edelstein to accept the Minutes of August 12, 2020 as corrected by Mr. Janovsky, seconded by Craig Hammer, all in favor.

Other business / Office Administrator – as needed

The board approved of Ms. Aekus applying for a grant pertaining to digitizing land records.

Mr. Reed suggested that Gig and Almira look into getting a fiber internet connection into the building.

Adjourn

A motion to adjourn was made by Craig Hammer, seconded by Wayne Wood, all in favor.

Wayne Wood adjourned the meeting at 8:39pm.

Respectfully submitted,
~Gig Zboray