



**Town of Whitingham  
Office of the Selectboard**

**MINUTES OF DECEMBER 4, 2019**

*These Minutes shall be 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, December 4, 2019 at 6:30pm in the Selectboard Office of the Municipal Center, 2948 VT Route 100, Jacksonville, VT.

Selectboard members present: Wayne Wood, Vice Chair; Craig Hammer, and Scott Reed. Wayne Corse arrived a bit late.

Others present: Gig Zboray, Selectboard Office Administrator; James Valente and Adam Waite, Education Funding Attorneys; Robert Fisher, Town Attorney; Stanley Janovsky, Jr., Road Commissioner; Seth Boyd, and Richard Lemaire, residents.

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

Wayne Wood called the meeting to order at 6:30pm. There were two additions to the agenda, review and sign letter to our State Representatives regarding Carbon Tax. Review and sign plowing contract with school was added under Highway Department.

**Hearing of visitors (for concerns not on the agenda)**

Seth Boyd, Chair of the Town Hill Committee discussed the Town Hill budget – they would like to rebuild the stone wall in front of the monuments, they haven't gotten a quote yet, they will just take an educated guess. They need to purchase 3 new grills and picnic tables. They would like to become a "parks committee" to include the Eames Village Park, and possibly overseeing the basketball court. Gig asked if they would like to handle the town flower planters as well. Gig will warn the topic on the next agenda.

**Animal Control Officer, follow-up**

Dan Hollister was not available to provide the board with an update about the dogs on Fuller Hill Road.

**Transfer Station, discuss scheduling HHW events for 2020**

Two household hazardous waste collection events are required to be held in 2020. Mr. Wood has the required certifications to run the events. He is available May 16<sup>th</sup> and October 3<sup>rd</sup>.

**Sewer Department**

**Review and sign letter to state officials regarding redundancy**

The Selectboard reviewed the letter to Jeff Fehrs of the State DEC Facilities Engineering Division to rebut their requirements of 2 RBC units at each plant to provide redundancy. **A motion was made by Craig Hammer to sign to the letter to Jeff Fehrs, seconded by Scott Reed, with Wayne Wood in favor.**

#### Review and sign letter to Ruby Brown

Ms. Brown spoke with Mr. Hammer after the last meeting and mentioned her disfavor of the flat rate billing system. A letter was written to Ms. Brown to explain why that decision was made and how it cannot be changed at this time but the Selectboard plans to review the topic during the next phase of the sewer upgrades. **A motion was made by Scott Reed to sign the letter to Ruby Brown, seconded by Craig Hammer, with Wayne Wood in favor.**

#### Review and discuss request from Jacksonville Community Church

The Jacksonville Community Church has written to request that their sewer account for the parsonage lot be discontinued at this time. The parsonage dwelling burned several years ago and the lot has remained empty. At this time the church has no plans to rebuild. The board agreed to the request and asked Gig to prepare a letter for the board to act on at the next meeting.

#### Highway Department

##### Final review and adopt updated Drug & Alcohol Policy for CMV Operators

The Drug and Alcohol Policy for CMV Operators was updated to reflect the Drug and Alcohol Clearinghouse created by the federal government. After a final review, **a motion was made by Craig Hammer to adopt the updated Drug & Alcohol Policy for CMV Operators, seconded by Scott Reed, with Wayne Wood in favor.**

#### Review and sign plowing contract with school

Mr. Fisher came to the table and discussed efforts to make the contract as uniform as possible to the contract model issued by the VLCT. After explanation and discussion, **a motion was made by Scott Reed to sign the plowing contract with the school, seconded by Craig Hammer, with Wayne Wood in favor.**

While at the table Mr. Fisher provided some information regarding Great River Hydro's tax appeal litigation. Expert witness fees will be covered by the state in large part and attorney fees should be covered in some part.

Mr. Janovsky gave the board notice that the backhoe needs some work done on it. Mr. Hammer noted that the equipment is old, and it will start costing the town a lot of money; with 9,000 hours on it, it seems time to start looking for a replacement. **Craig Hammer made a motion for Mr. Janovsky to start looking for a backhoe and to start the bid process, seconded by Scott Reed, with Wayne Wood in favor.**

#### Grants

Gig informed the board that the town won a Municipal Planning Grant to engage a manager to help us with the flood hazard mitigation project. The town also won a grant application from the BDCC, also to help us with that project.

#### Approval of Payables Warrant – December 5, 2019

**A motion was made by Craig Hammer to approve Payables Warrant W2024 dated December 5, 2019, seconded by Scott Reed, with Wayne Wood in favor.**

#### Approval of Payroll Warrant – December 5, 2019

**A motion was made by Scott Reed to approve Payroll Warrant W2023 dated December 5, 2019, seconded by Craig Hammer, with Wayne Wood in favor.**

### **Approval of Minutes of November 20, 2019**

**A motion was made by Scott Reed to approve the Minutes of November 20, 2019 as written, seconded by Craig Hammer, with Wayne Wood in favor.** Mr. Boyd noted that the November 20<sup>th</sup> Minutes were missing from the town website but were posted in paper copy.

### **Review and sign letter to state representatives regarding Carbon Tax**

**A motion was made by Craig Hammer to sign the letter opposing any carbon tax added to gasoline or diesel, seconded by Scott Reed, all in favor.**

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

#### **Sign holiday card to employees**

The board reviewed and signed the holiday card to employees.

#### **Review 1<sup>st</sup> draft of January newsletter**

The first draft of the January 2020 newsletter was provided to the board for review.

### **Education Funding Litigation, executive session with attorneys:**

7:05pm **A motion was made by Craig Hammer 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 Wayne Corse, all in favor.**

**A motion was made by Wayne Wood 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, Seth Boyd, Robert Fisher, Adam Waite and James Valente, seconded by Craig Hammer, all in favor.**

With no decisions made executive session was exited at 8:15pm.

### **Budget work session**

Almira Aekus provided a first draft of the budget with a 1.6% cost of living increase on wages and the appropriate increase in employment taxes, insurance and retirement as well as educated estimates for many line items. The board went through the entire budget, questions were answered, suggestion to breakout overtime by highway employee was made, Ms. Aekus will get a price quote for IT services to ensure cyber security on the town computers; town webpage was set at \$3,500 for backup, security and updates/upgrades as well as hosting and domain registration costs.

### **Schedule special budget work session(s) and discuss upcoming meetings**

Gig will try to schedule Jill Muhr, human resources consultant at VLCT, to come (or call in) to the December 18<sup>th</sup> meeting. We will not have a regular meeting on January 1<sup>st</sup> (someone will be assigned to sign the warrants at the next meeting). The Selectboard will meet on Thursday, January 2<sup>nd</sup> for a budget work session.

### **Adjourn**

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

Mr. Wood adjourned the meeting at 9:42pm.

Respectfully submitted, ~Gig Zboray