

 **Town of Whitingham**

 **Office of the Selectboard**

 **MINUTES OF JULY 18, 2018**

*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, July 18, 2018 at 7:30PM in the Selectboard Office of the Municipal Center, 2948 VT Route 100, Jacksonville, VT.

Selectboard members present: Chair Keith Bronson; Vice Chair Greg Brown; members Karl Twitchell, and Robin Kingsley.

Others present: Gig Zboray, Selectboard Office Administrator; Dan Hollister, Animal Control Officer; Jenepher Burnell, Lister; Marylee Putnam, Bookkeeper; Stephen Bettencourt, resident;

Wendy Birch, resident; Terrie Dumaine, resident; Pamela Peterson, resident; Ann Coleman-Specht, resident; Lauren Harkawik, Deerfield Valley News; Kristen Breeden, resident; Frederick Aldrich, bidder; Bob Bazin, bidder; Dave Aldrich, bidder.

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

Keith Bronson called the meeting to order at 7:30PM. **Greg Brown made a motion to add “discuss sewer billing error” after the opening of blacktop and gravel bids, seconded by Robin Kingsley, all in favor.**

**Hearing of visitors** Stephen Bettencourt came to the table to discuss his mother’s flu shot, compensation was never made, therefore he never paid his taxes or sewer bill and his house was sold at tax sale. Mr. Bettencourt feels that because the shot was given in this building that the town is somehow responsible even though the shot was delivered by the Visiting Nurse Association. Greg Brown indicated that the tax sale and anything related to it were conducted by the tax collector according to state statute. Mr. Bettencourt indicated that the town’s “handlers above will be dealt with”. He feels intellectual property theft has occurred. Keith Bronson indicated that this situation is out of the Selectboard hands. Greg Brown requested that Mr. Bettencourt not take up his issue with the town staff.

**Set the Tax Rates**

Jenepher Burnell came to the table and suggested the Municipal Tax Rate to be set at .6115, which is slightly short by $49.08 and the local agreement rate of .0032. Both rates are lower than last year. **A motion was made by Greg Brown to set the municipal tax rate at $.6115 per $100 and the local agreement tax rate at $.0032, as recommended by the Listers, seconded by Karl Twitchell, all in favor.**

Last year the non-residential combined rate was 2.1849. The projected 2018 rate would be 2.1707, down by .0142.

Last year the residential combined rate was 2.7368. The projected 2018 rate would be $2.5843 down by .1525.

**Sewer Department (rate adjustment requests)**

Ann Coleman came to the table requesting a reduction in her sewer rate after the death of her husband. Dave DiCantio confirmed that the water meter on her property is broken. Greg Brown notified Ms. Coleman that her account has been estimated for several years at a very low rate. The meter situation in this case is one of the reasons why the sewer department needs to update the billing method. The board also explained the improvements made and upcoming at the waste water plants, the work we have been doing with the rate maker company, the state requirements, etc.

Pam Peterson came to the table complaining that her sewer bill is estimated, Greg Brown informed her that her meter does in fact work. She feels that since her husband passed away her usage per her bill has gone up. The sewer meters are read only every six months. The next billing cycle should reflect a decline in usage.

**Animal Control**

Dan Hollister came to the table and reported on his findings regarding the loss of chickens owned by Kristen Breeden. There have been many complaints made throughout the years. Seven calls were made to the ACO between March 1st and July 13th of this year reporting that dogs have been running at large but the ACO has not witnessed it himself. There are chicken carcasses but not all deaths are consistent with a dog attack. As far as the ACO knows for a fact only one chicken was killed by a dog (in front of Dan). Stanley Janovsky mentioned that he saw a weasel on Dix Lane today.

Greg Brown spoke of his experience trying to raise ducks in his pond, he witnessed a fish eat a duckling from below, seen fox, eagles, owls, etc. take the ducklings.

Keith Bronson mentioned the dog ordinance. Greg Brown asked Mr. Hollister if we have any grounds for dog violations. Mr. Hollister cannot issue citations until he has factual proof, he can’t go by word of neighbor. Mrs. Birch indicated that they are trying to restrain the dog and put bars on their windows to keep the dog inside. Mr. Hollister expressed that he is doing all he can do but finds this to be a civil matter to be attended to by the residents.

Kristen Breeden spoke up saying she has proof and brought witnesses with her to this meeting. Without proof the court system will kick back a citation. The board allowed 2 witnesses to speak, both told of their experience with the Birch dog.

A visitor asked what the board recommends when wildlife takes a chicken, the answer was to call the Game Warden.

Kristen does not want anyone’s dog hurt or taken away, she doesn’t want to have to shoot it. She is frustrated and wants the owner to keep better control of their dog.

Mrs. Birch indicated that she knows of 2 situations when the dog was loose when there were stressful situations (an accident on the road and a severe thunderstorm). Greg Brown encouraged her to strive a great deal harder to keep the dog under control.

In the future photographic proof or written and sworn statements must be presented to the Animal Control Officer for further appropriate action.

**Open blacktop and gravel bids**

Stanley Janovsky, Road Commissioner, came to the table to open the paving and gravel bids:

Paving Bids:

Bazin Brothers Trucking: $63.20 per ton

Mitchell Sand & Gravel: $62.00 per ton

Peckham Road Corporation: $72.80 for Kentfield Road and $71.70 for Burrington Hill Road

Vermont Roadworks, LLC: $65.56 per ton

**Greg Brown made a motion to go accept the Mitchell Sand and Gravel bid of $62 per ton, seconded by Karl Twitchell, all in favor.**

Gravel Bids:

Zuluzny Excavating Corp: $20.50 per cubic yard for 1” minus gravel delivered

 $26.00 per cubic yard for 1.5” crushed stone delivered

Mitchell Sand & Gravel: $18.00 per cubic yard for 1” gravel delivered

 $20.00 per cubic yard for 1-1/2” crushed stone delivered

Zoar Stone & Gravel: $19.00 per cubic yard for 1” minus crushed gravel delivered

 $27.50 per cubic yard for 1.5” crushed stone delivered

Stanley needs about 2,000 cubic yards.

**Greg Brown made a motion to accept the Mitchell Sand & Gravel bid of $18 per yard delivered, seconded by Karl Twitchell, all in favor.**

Stanley noted that blacktop is more expensive this year, but gravel is less.

**Discuss sewer department billing error**

We’ve reviewed past billing back to 2012 based on statute of limitations, taking into account that this year’s billing at face value, Greg Brown suggested to offer to settle this issue at $9,000. Dave DiCantio suggested calculating an accurate amount. Marylee will go back to 2012 and correct all the penalty and interest charges based on what the correct billed amount should have been and come up with a comprehensive figure then Gig will draft a letter and have Bob Fisher review it. In the meantime Gig will send a letter saying we are working on rectifying the situation. We hope to have it resolved in the near future. Greg Brown suggested posting the check to settle this issue on a separate warrant and have the check available as soon as they agree to the amount calculated.

**Review and sign auditors “Scope of Services” document**

The Selectboard reviewed the Scope of Services document to engage Sullivan & Powers to conduct an audit of the fiscal year ended June 30, 2018. The audit is scheduled for September, 2018. **A motion was made by Greg Brown to sign the scope of services document as reviewed by Gig, seconded by Robin Kingsley, all in favor.**

**Transfer Station – review and sign mercury lamp participation agreement**

The Selectboard reviewed the agreement. **A motion was made by Robin Kingsley to sign the mercury lamp participation agreement, seconded by Greg Brown, all in favor.**

Gig noted that the town received a final invoice from Windham Solid Waste Management District of $396.25, they billed us at 3.7%, the signed agreement was 3.62% so Gig adjusted the balance due to $387.68. **A motion was made by Greg Brown and seconded by Robin Kingsley to accept and pay the balance she calculated.**

The cost of recycling is steadily increasing. On the July 1st TAM invoice, we are *paying* $22 per ton for paper and $55 per ton on mixed containers. With the paper being compacted we are saving on the trucking.

**Appointment of Fire Warden (5 year term)**

**A motion was made by Greg Brown to reappoint Allan Twitchell as Fire Warden for a 5-year term ending June 30, 2023, seconded by Karl Twitchell, all in favor.**

**Approval of Payables Warrant – July 19, 2018**

**A motion was made by Robin Kingsley to approve Payables Warrant W1904 dated July 19, 2018, seconded by Karl Twitchell, all in favor.**

**Approval of Payroll Warrant – July 19, 2018**

Gig noted that Whitney Hamilton took family leave time which was coded as sick time, he did not have enough hours in his sick time account, so it made him negative 37 hours. As he continues to work that negative will eventually become positive, but it will take a long time at 4 hours per month, he does have vacation time available to him. The board indicated that we are not deficit spending on the sick time, if Whitney wants to get paid he needs to use vacation time.

**A motion was made by Robin Kingsley to approve Payroll Warrant W1903 dated July 19, 2018, seconded by Greg Brown, all in favor.**

**Approval of Minutes of June 20, 2018**

**A motion was made by Greg Brown to approve the Minutes of June 20, 2018 as written, seconded by Karl Twitchell, all in favor.**

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

We received a letter from Kayla’s Playground and Jessica’s Locker offering to upgrade the electric breaker box at town hill at their expense. They offered that the work would be done by Small Town Electric, a duly licensed and insured company. The board approved of this offer, but would like a detailed scope of the work to be completed and a copy of the insurance certificate before any work begins.

The Sadawga Lake plant study will be conducted on August 2nd (rain date of August 3rd). We were invited to lunch at the boat launch area to meet with Larry Eichler, plant specialist, or for a debriefing around 3pm at Lois Libby’s house. Gig plans to attend for lunch and informed the Lake Association that Selectboard members will be working and probably couldn’t attend either.

Gig will be out of the office Thursday, July 19th through Monday July 30th (but back in the office probably one day on the 25th or 26th ).

**Adjourn**

**A motion to adjourn was made by Keith Bronson, seconded by Robin Kingsley, all in favor.**

Keith Bronson adjourned the meeting at 9:16pm.

Respectfully submitted, ~Gig Zboray