

**Town of Whitingham**

**Office of the Selectboard**

**MINUTES OF SEPTEMBER 27, 2017**

*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, September 27, 2017 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, Allan Twitchell; Members Greg Brown, Karl Twitchell and Robin Kingsley.

Others present: Gig Zboray, Selectboard Administrative Assistant; Dan Hollister, Animal Control Officer; Wayne Corse, Corse Excavating, Robert Fisher, Adam Waite and James Valente, town attorneys; Seth Boyd, school board member.

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

Keith Bronson called the meeting to order at 7:30pm. There were several additions to the agenda under #9 other business.

**Hearing of visitors**

Dan Hollister, ACO came to the table to inform the Selectboard of several dog issues. William Etling of Green Road has made no attempt to register his second dog in the past year and has made no effort to contact the ACO since his dogs were taken into the Town’s possession one week ago because they were running-at-large and the younger dog has no rabies inoculation history. Dan Hollister feels that Mr. Etling should be taken to court for abandonment. Dan passed out a copy of a Statute that lists the steps to take in abandonment cases. Karl Twitchell questioned if the Humane Society would help to rehome the dogs if we renewed our contract with them. Dan suggested that when rehoming a dog the Town could ask for reimbursement of fees incurred to save the dog. Greg Brown feels it is more important to cut the Town’s losses and let the dogs go without the fees reimbursed rather than to keep incurring costs for the Town to care for the dogs. Dan should get the dogs out of the private kennel and bring them to the Town’s kennel and send out a certified letter to the owner and get in touch with WAG to help out with the care of the dogs.

Justin McNary’s dog has been found running-at-large several times, a citation had been issued on July 21st and the problem continues. The dog recently walked right into the neighbor’s house, the same neighbor that had been bitten by the dog on April 23rd. Mr. McNary is trying to rectify the situation. Dan will keep working with him.

There is an ongoing neighbor to neighbor issue on Cyrus Road, now involving dogs. The Selectboard advised Dan to follow the ordinance to the letter.

A handyman was bitten while on a homeowner’s property. Because the dog was on its own property a Potential Vicious Dog Hearing is not necessary, it is a civil matter.

**Open highway bids**

Zuluzny Excavating Corp. 9/16” winter sand delivered to the highway garage at $17.49 per cubic yard.

Corse Excavating 9/16” road sand at $16.45 per yard (based on 5,000 yards). Greg Brown asked Mr. Corse if the price included delivery, Mr. Corse responded yes.

Cersosimo Industries, Inc. 9/16” sand at $18.75 delivered and (5000 CY +/-) at $8.25 CY FOB.

**Karl Twitchell made a motion to accept the Corse Excavating bid of $16.45 per yard delivered, seconded by Greg Brown, all in favor.**

**Education Funding Litigation**

**A motion was made by Robin Kingsley 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 Greg Brown, all in favor.**

**A motion was made by Robin Kingsley 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, James Valente, Seth Boyd and Bob Fisher, seconded by Karl Twitchell, all in favor.**

With no decisions made executive session was exited at 8:59pm.

Other School issue – Seth Boyd sent an email regarding the tank that provides fuel to the generator, there is a new law that prevents the use of an underground tank with a generator. A new above ground tank would cost about $4,000. The underground tank is due to be removed anyway, perhaps one new above ground double-wall tank to feed both the furnace and the generator is allowable. The Selectboard questioned how all the permits to do the school renovations were approved if this law was on the books. Seth will continue to work on this and research other options. Greg Brown questioned if it becomes an outdoor tank will it require kerosene to prevent freezing? Kerosene could be a problem in the generator.

**Transfer Station/WSWMD**

The finance committee of WSWMD is working on a “reentry fee” for towns that have left the district and want to return. Gig questioned the board what they feel would be fair? The Selectboard feels they would never go back into the District.

**A motion was made by Greg Brown for Keith Bronson to sign the newly revised termination agreement with WSWMD, seconded by Karl Twitchell, all in favor.**

**Approval of Payables Warrant – September 28, 2017**

After earlier discussion with the Animal Control officer it was found that a fee of $14 per day for two dogs for 8 days for a total of $224 would need to be added to the Payables Warrant.

**A motion was made by Karl Twitchell to approve Payables Warrant W1814 dated September 28, 2017 with the addition of $224 payable to Layla’s, seconded by Greg Brown, all in favor with Keith Bronson casting his vote.**

**Approval of Payroll Warrant – September 28, 2017**

**A motion was made by Greg Brown to approve Payroll Warrant W1813 dated September 28, 2018, seconded by Robin Kingsley, all in favor with Keith Bronson casting his vote.**

**Approval of Minutes of September 13, 2017**

**A motion was made by Greg Brown to approve the Minutes of September 13, 2017 as written, seconded by Allan Twitchell, all in favor with Keith Bronson casting his vote.**

**Other business / Administrative Assistant – as needed**

1. Municipal Planning Grant – review and sign municipal resolution. **A motion was made by Karl Twitchell to approve the Municipal Planning Grant resolution, seconded by Greg Brown, all in favor.**
2. Review and sign rental agreement with the Dumain House for senior meals. **A motion was made by Greg Brown to approve the agreement, seconded by Robin Kingsley, all in favor.**
3. A WorkStrong class for back safety and slip & fall prevention has been scheduled for December 20th starting at 10:30am. It is designed for highway employees but all would benefit. It will be followed by individual fitness evaluations for those who are interested. By participating in this offer the employees benefit by learning how to lift safely and learn about healthy eating and exercise, the town benefits with lower rate on Workers Comp policy. We have had no major claims in over 4 years.
4. The 2018 Property Schedule of all buildings and their values for insurance coverage was reviewed. Gig will look back at 2015 Minutes when we went over the property schedule in detail with a VLCT representative.
5. Gig was notified that a zoning applicant whose permit was denied by the ZBA plans to file an appeal with the Environment Court or request that the ZBA vacate that decision. I have spoken to Bob Fisher about this in case something comes up while I am on vacation.
6. A letter to the Governor was prepared to thank him for attending the connectivity meeting in Readsboro and to ask if he noticed the condition of the state roads, the Selectboard members all signed the letter.
7. Reminder – there will be no regular meeting on October 11th. Selectboard members should plan to attend the Hazard Mitigation Planning meeting on October 18th at 6pm.

**Adjourn**

**A motion to adjourn was made by Robin Kingsley, seconded by Allan Twitchell, all in favor with Keith Bronson casting his vote.**

Keith Bronson adjourned the meeting at 9:34pm.

Respectfully submitted,

~Gig Zboray