



**Town of Whitingham  
Office of the Selectboard**

**MINUTES OF MAY 1, 2024**

*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 Selectboard Office of the Whitingham Municipal Center on Wednesday, May 1, 2024.

Selectboard members present: Scott Reed, Chair; Craig Hammer, and Travis Wheeler. Greg Brown attended remotely.

Others present: Gig Zboray, Selectboard Office Administrator. Stanley Janovsky, Jr., Road Commissioner. Dan Hollister, ACO. Almira Aekus, Clerk/Treasurer. Seth Boyd, Laurie Dix, Doug Dix, Ashley Boyce, Georgia Boyce, Jim Boyce, Martin Steed, Joe Corrison, Jeanette Linnihan, residents; Fred Aldrich, Mitchell/Allstates.

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

Scott M. Reed called the meeting to order at 6:30pm. Changes to the agenda were noted on the meeting copy.

**Hearing of Visitors for concerns not on the agenda**

None

**Dog Issues (Fuller Hill, Merrifield Road, Route 112)**

Georgia Boyce with James and Ashley Boyce complained about their goat being killed by a dog owned by Bradley Boyd and Brianna O'Hearn. Asking the board to hold a potentially vicious dog hearing. The board agreed they will hold the hearing on May 15<sup>th</sup>. The same dog is terrorizing the neighbors. The neighbors say they have filed complaints about the dogs. The board was unaware of any such complaints. Mr. Hollister said it was with the previous board. There was no explanation as to why the current board hadn't been informed of the current complaints. Doug Dix has been interacting with his neighbors to try to solve the problem and is making great progress.

Martin Steed lives on Merrifield Road, he had an issue with a dog running loose going after two horses, does he have the right to shoot the dog on his property? Mr. Corrison owns that dog and explained the electric collar stopped working, he has ordered a new system. In the meantime, the dog is out of town.

Jeanette Linnihan complained that there is a brand-new loose dog on Fuller Hill. Mr. Dix said he will speak with that dog owner; they are new in town.

The board asked Mr. Hollister why they were not informed of the dog bite on Route 112 in early April. He stated that the victim only wanted to make sure the dog was up to date on rabies vaccination. The board is concerned that other residents walking in the area might be bitten. They asked why fines for running-at-large, unregistered, and vicious dog were not issued. Mr. Hollister was writing them up immediately before the meeting.

Discussion of future of animal control position moved to the end of the meeting.

**Parks Committee: continue discussion on bids received**

At their special meeting on April 24<sup>th</sup> the board opened two bids for the pavilion expansion project at Town Hill Common. They were:

Dovetail Tradition, LLC at \$62,309 for timber frame.

Pioneer Timber Frames at \$56,993 for timber frame and \$54,058 for pressure treated posts, braces, and top plates, all other specs included.

Both bids were over the approved budget. Mr. Boyd was to speak with the two bidders to find out how to lower the cost.

**REVISED BIDS:**

Dovetail Traditional, LLC at \$52,254 for timber frame

Pioneer Timber Frames at \$50,493 for timber frame and \$47,558 for pressure treated posts, braces, and top plates, all other specs included.

Mr. Hammer doesn't see how we can do it, both bids are more than approved by voters. He suggests the bidders be notified that we can only approve of \$46,000. He also noted that if we take two weeks away from the front of the project, we would have to give it to them on the back.

Seth Boyd noted that the Parks Committee would like to go ahead with a respectable building. The Parks Committee has some funds left, they have nearly \$55,000 in the Parks Committee budget. The other component is to entertain an option to go out and ask for donations. Per a survey this was a number 1 priority of town residents.

After more discussion, **a motion was made by Craig Hammer to award the contract to Pioneer Timber Frames if he can accept a price of \$46,000. Mr. Reed suggested that they could take off the section of the RFP that calls for finished grade to provide ADA accessible access on three sides at entrances, finished grade topsoil, seeded, and mulched and 5' surpak accessible path at south entrance, either volunteers or the town crew can do that. Seconded by Travis Wheeler, three in favor, Mr. Reed abstained.**

**Sewer**

Review and sign amendment to Engineering Services Agreement crossed off agenda, document was not ready yet.

Review request to change sewer classification Charles and Terry Dix of 3582 VT Route 100 (opposite Allard Road) requested to change their sewer EU assignment for account J69 from 2 to 1. Their upstairs apartment has not been used in many years. Ms. Aekus inspected the apartment and found the kitchen sink had been removed. They would like the sewer EU assignment to be only an "S2" (single family home) and delete the "A2" for the apartment. If approved by the Selectboard Mr. and Mrs. Dix would need to file a change of use zoning application, so the land records indicate that the property is no longer approved as a two-family dwelling. **A motion was made by Scott M. Reed to approve the request contingent on the proper zoning application being filed, seconded by Travis Wheeler, all in favor.**

Connex box can be moved to Jacksonville plant on Thursday, May 9<sup>th</sup>. The board would like to bring in fill so the box can be hidden behind the building. The town will move the box when the site is ready.

Well pump the Whitingham sewer plant well pump is dead and needs to be replaced. The board asked Gig to contact Kingsley Plumbing & Heating to replace it.

### **Highway**

#### **Open paving bids**

Bazin Brothers: per ton \$97.50 (total bid of \$373,425.00)

Peckham Road Corp: per ton price varies based on roads. Lowest per ton cost is \$110.25 (total bid of \$461,628.25)

Springfield Paving: per ton \$93.46 (total bid of \$353,372.26)

Mitchell/All States: \$97.75 per ton (total bid of \$341,636.25)

Mr. Janovsky has no qualms about going with the lowest cost. Mr. Reed noted we have done business for many years with Allstate, once they even honored pricing from the prior year for work that could not be performed in the year bid.

**A motion was made by Scott M. Reed to award the paving bid to Mitchell/All States, seconded by Travis Wheeler, all in favor.**

#### **Open gravel bids**

Mitchell Materials: \$21.50 per ton for 1" crushed gravel delivered

Zaluzny: \$33 per cubic yard for 1" crushed gravel delivered

**A motion was made by Scott M. Reed to accept the bid from Mitchell Materials, seconded by Craig Hammer, all in favor.**

Review and approve access permit Mr. Janovsky presented an access permit for Eric and Tiana Dompierre at Lot 1 Aldrich Road with no conditions, **a motion was made by Greg Brown to approve and sign the access permit, seconded by Craig Hammer, all in favor.**

#### **Review and approve 2<sup>nd</sup> class liquor license for Spoonwood Cabin, LLC**

After review, **a motion was made by Scott M. Reed to approve the 2<sup>nd</sup> class liquor license for Spoonwood Cabin, LLC, seconded by Greg Brown, all in favor.**

### **Approval of Payables Warrant – May 2, 2024**

There is another very large payment to Kingsbury on the Payables Warrant, the state has not yet approved the invoice so that check will be held until they do. We have also not received payment from the state for the last invoice, hopefully those two things will coincide. If not, the Treasurer will need to borrow money from a different fund to cover that payment. She will make sure to keep track of any interest that would have been earned to charge to sewer budget. **A motion was made by Scott M. Reed to approve Payables Warrant #W2444 dated May 2, 2024, seconded by Craig Hammer, all in favor.**

### **Approval of Payroll Warrant – May 2, 2024**

**A motion was made by Craig Hammer to approve Payroll Warrant #W2443 dated May 2, 2024, seconded by Scott M. Reed, all in favor.**

### **Review and approve Minutes of April 24, 2024**

**A motion was made by Greg Brown to accept the Minutes of April 24, 2024, as written, seconded by Scott M. Reed, all in favor.**

### **Other business**

**MTAP Grant Application** At the April 3, 2024 meeting a motion was made to submit a Municipal Technical Assistance Program (MTAP) Statement of Work (SOW) to proceed with potential funding for final design and engineering for the new town garage project. Gretchen Havreluk submitted the SOW for \$50,000 for Windham Regional Commission and a 3<sup>rd</sup> party to be determined. The document shows an end date of December 31, 2024, which doesn't allow much time for an engineer to design the project after the bidding process. Ms. Havreluk stated that if we did win funding, we could change the timeline.

On February 20, 2024, a certified letter was sent to Nicole Gamache at 7783 VT Route 100 asking for access to conduct a dye test of their septic system. On February 25<sup>th</sup> an email was received from Jesse Rice (husband of Nicole) stating that they are currently in the process of having a new septic designed, hoping that installation would be complete by June 1<sup>st</sup>. Gig sent an email on April 26<sup>th</sup> asking about progress on the design because no permits were found on the State of Vermont permit search site. As of May 2<sup>nd</sup>, no response to that email has been received. The board would like Gig to contact the town attorney as to next step(s).

There are no records of Lindsey Dix septic because the property was in existence before those rules came into effect (Kathy Russell owned the property from 1953 to 2004). Property was vacant for quite some time. Board would like Gig to discuss with the town attorney.

**Junk and garbage** We received a complaint about garbage on the property of Brian Betit on Faulkner Road, the board would like Gig to discuss with town attorney. There is only 1 bag of actual garbage, but Mr. Betit has many items in the town's right of way.

**Animal Control Officer** everyone remaining at the meeting at this point was there for dog issues except Almira Aekus and Seth Boyd. No one is happy with the way the many recent dog issues have been handled. **A motion was made by Scott M. Reed to post the position of Animal Control Officer, seconded by Travis Wheeler, all in favor.** Gig asked if Mr.

Hollister would remain as the ACO until the position is posted and filled. Mr. Brown said he couldn't see why Dan would want to stay on. **Greg Brown made a motion to appoint Doug Dix as the temporary Animal Control Officer, seconded by Craig Hammer, all in favor.** Mr. Hollister complained that Robert's Rules of Order were not followed for complaints against an employee. Regular Selectboard meetings do not follow Robert's Rules of Order, the board has its own "Guide for Meeting Procedure".

**Adjourn**

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

Scott Reed adjourned the meeting at 7:37pm.

Respectfully submitted,  
~Gig Zboray