



**Town of Whitingham  
Office of the Selectboard**

**MINUTES OF MAY 15, 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 15, 2024.

Selectboard members present: Scott Reed, Chair; James Weber, Vice Chair; Greg Brown, Craig Hammer, and Travis Wheeler.

Others present: Gig Zboray, Selectboard Office Administrator. Stanley Janovsky, Jr., Road Commissioner, Kristine Sweeter, Librarian, Seth Boyd, Parks Committee, Doug Dix, interim ACO; Laurie Dix.

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

Scott M. Reed called the meeting to order at 6:31pm. Changes to the agenda were noted on the meeting copy.

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

None

**Board of Health: determine need for a Health Order on 7783 VT Route 100**

The Health Officer received a complaint of a failed septic at 7783 VT Route 100 in January. Since that time, we have tried to gain access to the property to do a dye test and an inspection. The owners had responded that they were working with an engineer. In April we asked for proof of working with the engineer or access for the dye test. No proof or access was offered. On May 9, 2024, a Notice of Intent to file a health order was issued. Mr. Rice responded by email that he will not allow access, nor will he attend the meeting tonight. Mr. Rice called Gig today stating that he is having difficulty getting in touch with the engineer he hired to provide proof that he is working for them. He also noted that they have moved their camper to NYS, when school is out the family will be in the camper for the summer. Gig had drafted a letter stating that if one of two directives are not met by specific dates the Town will be forced to issue a health order to vacate the property.

**A motion was made by James Weber to send the letter as written, seconded by Travis Wheeler, all in favor.**

**Library: appoint trustee to fill vacancy**

Edie Brigham resigned from the Library Board of Trustees because she moved out of state. The Board of Trustees recommended the vacancy be filled by Maryann Johnson. **A motion**

was made by Greg Brown to appoint Maryann Johnson to fill the vacancy left by Edie Brigham until the next town meeting is held, seconded by James Weber, all in favor.

### Sewer

Review and sign bill of sale for Connex box at the last meeting the board approved the purchase of a Connex box from Kingsbury Companies for use as storage at the Jacksonville Sewer Plant. Kingsbury has now provided a bill of sale for the purchase and a check for payment is on the payables warrant. **A motion was made by James Weber to appoint Scott M. Reed to sign the bill of sale, seconded by Greg Brown, all in favor.**

Review and approve estimate from Lynde Well Drilling The well pump at the Whitingham Plant recently failed, it was replaced only last year. The plumbers have sent it to the manufacturer for warranty review. The plumbers and contractor suggested that the well casing be viewed by camera to determine if it is in good shape, it may have been bent during the land slide. Lynde Well Drilling provided an estimate of \$550 to do the camera work. Frost drilled the well, records should be in the land records regarding how much casing down to the ledge. **A motion was made by Greg Brown to accept the proposal from Lynde Well Drilling, seconded by Scott M. Reed, all in favor.**

EPA/Bernie grant info As noted to the board by email, the EPA has now approved our Bernie grant. In order to request reimbursement of funds Gig had to sign up on ID.me and ASAP.gov. It was a complicated procedure, therefore she and Almira discussed that the roles should be filled by the two of them and not involve Selectboard members. **A motion was made by James Weber to approve Gig Zboray as Head of Organization, Authorizing Official and Point of Contact and Almira Aekus as Financial Official in the ASAP.gov system for the Congressionally Directed Spending/EPA grant, seconded by Greg Brown, all in favor.**

Autosampler this week we received delivery of a free autosampler from Water Environment Federation. It was a simple grant application. We could have gotten one for each plant, but the model offered wasn't quite what the operator had wanted so we requested one portable model. Gig is not sure if the portable model comes with a flow meter. A thank you email was written to WEF.

Operator's vacation request Our contract with Simon Operations says they provide service M-F; they asked Charlie to cover for Dylan. When they covered for Charlie, it was charged out at double time. Perhaps they should hire Charlie. Gig should contact Lane Simon to discuss.

### Highway

Old trucks Mr. Reed questioned what we are doing with the old trucks. Mr. Hammer doesn't want chloride put in the bed of the new truck. Mr. Weber questioned if there was a dollar amount as to what we would not fix on either of the old trucks. Mr. Janovsky responded that it is helpful to have smaller trucks available to check the roads during mud season and for other projects. He intends to keep the trucks until a repair is needed that is far too expensive to make sense.

Whitingham Village traffic complaint Gig has received two complaints about traffic in Whitingham Village from Mr. Mosely, the first complaint was forwarded to VTrans and to Chief Murano, the second complaint with Mr. Mosely's suggestions, was sent to Greg Krizan at VTrans who added others to the email chain. Mr. Mosely suggested electronic speed sign and/or traffic counter to determine when most of the speeding is happening and how fast they are going. Gig is working with Windham Regional Commission to get a traffic study; it will likely be done in June. Wilmington Police Department seems to have increased patrols in the area.

Freezing Hole Road Mr. Janovsky would like a letter from the board to start the process of getting Freezing Hole Road back on the map as a town road, it was taken off in 1986. It does not qualify as a "pent" road. Seth Boyd has done a lot of research on it and spoke with Jonathan Croft of VTrans, Mr. Croft wants all the information we have on the road to determine if he can get it put back on the map. He also needs a letter from the Selectboard asking that the road be reinstated.

**A motion was made by Scott M Reed to appoint Gig Zboray to send an appropriate letter to VTrans requesting that Freezing Hole Road be reinstated as a town trail, seconded by Greg Brown, all in favor.** Mr. Boyd will work with Gig on the letter and provide the additional information needed to accompany the request.

**Zoning Administrator: zoning violation at 490 VT Route 112**

According to the Flood Hazard Area Regulations (Section VII) of our Zoning Regulations, storage or parking of recreational vehicles, not to exceed 180 days, provided they are fully licensed and ready for highway use and comply with all relevant sections of the Zoning Bylaw (7.7.2.e) are permitted. The Williams property at 490 VT Route 112 has a completely decrepit camper and an old boat on the property. The camper is definitely NOT ready for highway use. Last year a letter was written about the camper, Ms. Williams responded that she had just had surgery, so a grace period was allowed. Now, nearly a year later, the camper remains. Gig asked the board if another friendly letter should be mailed or a Notice of Zoning Violation? The board would like a Notice of Violation sent.

**Parks Committee: review and approve contract with Pioneer Timber Frames**

At the May 1<sup>st</sup> meeting the board motioned to accept the bid from Pioneer Timber Frames if they would accept a total price of \$46,000 provided that the section of the RFP that required "finished grade..." be removed. Mr. Wendell accepted that offer and provided a contract for the board to sign. **A motion was made by Greg Brown to approve the contract and to appoint Scott M. Reed to sign it, seconded by James Weber, all in favor.** A check in the amount of \$20,000 for deposit on the project is included in the payables warrant.

**Animal Control Officer**

To clarify actions taken by the board at the May 1<sup>st</sup> meeting, **a motion was made by all to terminate Dan Hollister as Animal Control Officer effective May 1, 2024, Mr. Weber abstained because he did not attend the meeting.** The board would like to hold his paycheck until town equipment is returned.

**Liquor License**

A motion was made by Greg Brown to approve a Cater Permit liquor license for Wilmington Inn at Weeping Willow Yoga on August 13, 2024 (DLL Application 44091), seconded by Scott M. Reed, all in favor.

**Approval of Payables Warrant – May 16, 2024**

A motion was made by Greg Brown to approve Payables Warrant #W2446 dated May 16, 2024, seconded by James Weber, all in favor.

**Approval of Payroll Warrant – May 16, 2024**

A motion was made by James Weber to approve Payroll Warrant #W2445 dated May 16, 2024, seconded by Travis Wheeler, all in favor.

**Review and approve Minutes of May 1, 2024**

A motion was made by Scott M. Reed to accept the Minutes of May 1, 2024, as written, seconded by Greg Brown; four in favor, Mr. Weber abstained.

**Other business**

Chief Sadawga Mr. Wheeler, being new to town, questioned the history of Chief Sadawga and Old Home Week. Seth Boyd explained the history. Mr. Boyd spoke with the Chair of the Commission of Indigenous People in the State of Vermont, who didn't have a problem with celebrating the heritage, he suggested providing some education on the history of it.

Other Gig will be out of the office most of the day tomorrow, meeting with BDCC about Bernie grant then a Planners roundtable in Brattleboro. Gig will be out of the office all day on Tuesday the 21<sup>st</sup> to attend the So VT Economy Summit at Mt. Snow and on May 23<sup>rd</sup> for jury selection, if chosen, jury duty will be May 28-31.

**Adjourn**

A motion to adjourn was made by James Weber, seconded by Travis Wheeler, all in favor.

Scott Reed adjourned the meeting at 7:17pm.

Respectfully submitted,  
~Gig Zboray