



**Town of Whitingham  
Office of the Selectboard**

**MINUTES OF MAY 31, 2023**

*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 31, 2023.

Selectboard members present: Scott M. Reed, Chair; James Weber, Vice Chair; and Robin Kingsley.

Others present: Gig Zboray, Selectboard Office Administrator; Robert Fisher, Town Attorney; Brian Marchegiani, owner of Jacksonville Country Store; Seth Boyd, resident; Almira Aekus, Clerk/Treasurer.

**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)**

Seth Boyd noted that a bronze plaque place holder should be ordered for the new monument. The board told him to go ahead and order the plaque. The board reiterated that only wood chips should be ordered at this time, not grills or picnic tables.

**Town Attorney:**

Clarify RPR expectations and what the contract says We have had some concern about an engineer not being on site (RPR) during delivery of the RBCs and when Kingsbury and electricians were on site hooking up the smaller RBC to get the biomass growth started. Weston & Sampson says they are saving us money by not being on site, however, we have a contract for RPR services for time and expenditures “not to exceed” a certain amount. Mr. Fisher reviewed the contract and told the board the contract doesn’t actually say that an RPR will be on site at all times but a total of 175 days of observable work occurring, the full contract is 365 days. The board would like the RPR from Stevens and Associate to come introduce themselves at the next meeting.

Mr. Fisher noted we should not pay the engineer’s final payment until we have Certificate of Compliance. The board would like Gig contact Wayne Graham to ask if he would like to unobtrusively oversee the construction.

**Request to use Eames parking lot for a crane to remove trees from property across river**

Trevor Havreluk has been hired by Brian Sullivan to remove some dead trees on his property along the river, one has already fallen into the river. Mr. Havreluk would like to park a crane at the Eames Village Park to lift the trees away. He is aware of the collapsing retaining wall and said he would not affect the wall. Mr. Fisher suggested we require a certificate of insurance, with the Town as the named insured, from both Mr. Havreluk and the crane operator. Mr. Fisher will draft an agreement.

### **Liquor licenses and general information questions**

Brian Marchegiani asked if the town was willing to offer approval for a Class 1 and Class 3 liquor license for a potential bar and/or restaurant to serve beer, wine and liquor (no longer selling beer and wine) at the site of the Jacksonville Country Store (corner store). **A motion was made by Scott M. Reed to support the Jacksonville Days of Old, LLC state application for Class 1 and Class 3 liquor licenses with the understanding that they will apply for zoning change of use before they begin serving, seconded by James Weber, all in favor.**

**Highway** Nothing, Mr. Janovsky was not here tonight.

### **Transfer Station:**

**Include insert in tax bill?/same fees?:** Ms. Aekus questioned if a reminder to renew Transfer Station permits by September 1<sup>st</sup> should be included with the upcoming tax bill mailing. She also questioned if Transfer Station fees will remain the same, at this point we have collected 68% of expenses. The board agreed to keep the fees the same for this coming year. They also agreed that it is a good idea to insert a reminder in the tax bill.

**HHW collection event help:** Mr. Wood will be running our HHW collection event this Saturday. Gig questioned if any Selectboard members will be available to lend a hand. Mr. Reed said he will.

### **Personnel Policy: adopt updated policy**

The board approved suggested changes to the Personnel Policy at their May 17<sup>th</sup> meeting. **A motion was made by James Weber to adopt and sign the updated Personnel Policy to become effective immediately, seconded by Robin Kingsley, all in favor.**

### **Hazard Mitigation:**

**review and sign contract for LHMP update**

At the May 17<sup>th</sup> meeting the board accepted a proposal from Threat Owl to update our Local Hazard Mitigation Plan (LHMP). They provided a contract which was reviewed and edited by the town attorney. After review, **a motion was made by James Weber to accept and appoint Scott M. Reed to sign the contract with Threat Owl to update our LHMP for a cost of \$7,500, seconded by Robin Kingsley, all in favor.**

**Culvert Grant** Gig applied for a grant from Vermont Emergency Management Flood Resilient Communities Fund for the culvert project at the Municipal Center. The application was open-ended asking for funding for design and possibly construction as well. We were notified last week that we won \$1,204,350 for design and construction with no local match required. The funding includes \$57,350 for management costs. Gig has a meeting with VEM next week about this award, she is hoping that we can hire WRC to help manage this large project. Mr. Weber suggested that Gig contact VEM about how bad the culvert is and ask if we can just put a steel plate over it.

**FEMA buyout** We haven't heard back, in writing, about the FEMA buyout, but when the grant application was submitted Gig was verbally told it was going to be approved.

**Approval of Payables Warrant – June 1, 2023**

**A motion was made by James Weber to approve Payables Warrant #W2348 dated June 1, 2023, seconded by Scott M. Reed, all in favor.**

**Approval of Payroll Warrant – June 1, 2023**

**A motion was made by James Weber to approve Payroll Warrant #W2347 dated June 1, 2023, seconded by Robin Kingsley, all in favor.**

**Review and approve Minutes of May 17, 2023**

**A motion was made by Robin Kingsley to accept the Minutes of May 17, 2023, as written, seconded by James Weber, all in favor.**

**Other business**

Discuss cancelling June 28<sup>th</sup> meeting Gig also serves as Emergency Management Director; on June 28<sup>th</sup> there is a training in Wilmington that she would like to attend which conflicts with the Selectboard meeting. The board doesn't want to cancel, Mr. Weber will take the minutes.

Fuel Pre-Buy It's about that time of year to discuss fuel pricing and pre-buy with Nido's.

Phishing/Fraud Attempt today we received a request from what looked like a legitimate Kingsbury employee asking that we submit payment of the \$500,000+ invoice by ACH. Thankfully, the check was already drawn, so Gig said no. Then during the weekly check-in meeting with Power Donnelly, Gig mentioned the email, he said that was strange, they always get checks in the mail for payments. Upon further inspection, it was noticed that when copying Mr. Donnelly in on the email they spelled Kingsbury with a Q instead of a G. Gig reported the fraud attempt to the FTC and asked VLCT if they have a model policy that would allow us to forbid ACH payments.

Blueberry Festival The annual Deerfield Valley Blueberry Festival will kick off in Jacksonville on Friday, July 28<sup>th</sup> from 4-7pm. The library would like to again hire the Jacksonville Blues Band to play at a cost of \$750. The board approved the payment to come out of the Economic Development Fund.

**Adjourn**

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

Scott Reed adjourned the meeting at 7:56pm.

Respectfully submitted,  
~Gig Zboray