



**Town of Whitingham  
Office of the Selectboard**

**MINUTES OF DECEMBER 10, 2025**

*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, December 10, 2025.

Selectboard members present: Scott M Reed, Chair; Rick Gramlin, Craig Hammer, and Skip Tefft.

Others present: Gig Zboray, Selectboard Administrator; Robert Fisher, Town Attorney; Stanley Janovsky, Jr., Road Commissioner; Howard Dix, Assessor's Clerk; Rachel Littlehale, Town Clerk; Seth Boyd, Moderator; John & Johanna Robohm, Sara Martin, Martha & Andy Scott, Ronda & Morris Lackey, residents

Attending remotely: Justin LaSelva, Bonnie & Bob Dackow, residents.

**Call to Order. Pledge of Allegiance**

Scott M. Reed called the meeting to order at 6:33pm and led the Pledge of Allegiance.

**Additions or Changes to the Agenda**

Changes to the agenda were noted on the meeting copy of the agenda

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

Justin LaSelva to follow up on October 29<sup>th</sup> discussion regarding ATVs on Lone Pine Road. Gig did send an email to a member of Jack Pines ATV Club, she did not receive a response and the topic fell off her radar.

**Discuss intersection of Butler Brook and Gates Pond Roads**

Mr. Robohm is not in favor of discontinuing the small strip of Butler Brook, it has been in it's current configuration since at least the 1940s but definitely the last 4 decades. He says turning right onto Gates Pond Road will be virtually impossible if the portion of road in front of the Lackey's house is discontinued. Mr. Lackey counters that it is not hard to make a right-hand turn, perhaps it is difficult for trucks. He is concerned about his septic line that is under that small section of road. Trucks currently turn around and dig up their lawn, and he is also concerned about the safety of his younger family members. The Lackey's attorney wrote a letter to the Selectboard noting that that section of road had never been on a town highway map, our Town Attorney, Bob Fisher, did not research the town records, but noted that town roads can be "dedicated and accepted" – to do that requires proof of dedication on part of landowner as well as acceptance by town, dedication cannot be based on time alone, but circumstances, if we have plowed and maintained the road for years it is evidence of

acceptance as a public road (capital repairs, i.e. blacktop is also evidence). Even though it is not on a highway map it is acquiesced to be a town road. If it is a town road by Selectboard agreement, then Mr. Fisher suggested that it be discontinued formally (if that is the way the Selectboard wants to go).

Mrs. Scott questioned if intersection needs to be realigned, what is the cost, and if it can be done in town right of way, would it still interfere with the septic system?

Mr. Janovsky responded that the cost would go to the person requesting the change, he suggested the Selectboard make that a condition. There should probably be a traffic study, or the state should inspect the intersection to determine safety. Mr. Janovsky told Mr. Lackey that a petition with 5% of the voters would be required to start the process.

Mr. Robohm questioned if the change would go through the Lackey property or would it go through the swamp? Mr. Lackey thought through his property.

Mr. Fisher noted a decision on whether to keep as a town road or discontinue it does not need to be made tonight. He suggested it be determined where the northern edge of the town's right of way is to see if there is enough room to rework the intersection.

Mr. Robohm noted that Mr. Donelan who owns the property across Butler Brook Road is opposed. (The Selectboard received a letter to that effect from Mr. Donelan.)

Mr. Fisher suggested that Mr. Janovsky install stakes to show where the town right of way is.

Ms. Robohm questioned if the pipe for the septic system could be dug deeper, rather than change the intersection?

A question was asked about the cost of this, the cost will be part of the decision as to if this is in the public good, public necessity, and public convenience.

Topic to be continued when the Lackey's submit a petition signed by 5% of the registered voters of the Town of Whitingham, likely in the spring of 2026.

**Assessors: review and approve stipulated judgment order regarding value of Pine Lakes Estate, LLC**

Mr. Purjes appealed the tax value assigned to his property after the town wide reappraisal. The assessors then adjusted their quality rating a bit and the amount came closer to the value on the real estate appraisal Mr. Purjes commissioned.

Mr. Dix questioned the NEMRC reappraisal process, was it done properly to start with? He feels NEMRC should be responsible for covering the tax difference in the amounts that were appealed. There were a number of adjustments made to property values after the reappraisal was completed, only Pine Lake Estates went as far as a court case. Mr. Dix wanted the board to be aware of the issues before they made a decision.

If the board votes no on the proposed agreement, it would be battled out in court. Typically, each side is responsible for their own legal fees. Sometimes the court will split it down the middle, sometimes the judge agrees with the town's appraiser.

The property in question is a unique house; there is no other house in town to compare it to. From a quality perspective, no other house in town comes up to this quality.

Mr. Fisher thinks the proposed value is well within the realm of what a court would order. By law, when there is a tax appeal the value is assigned for three years in most circumstances.

Ms. Martin noted that this house brings up the value of all the other properties in town.

Mr. Hammer questioned how much Mr. Fisher's legal fees would be if this went to trial, Mr. Fisher said approximately \$10,000. That is close to the cost to the taxpayers would be if the board accepted the agreement. But NEMRC charges an additional fee beyond the reappraisal.

Mr. Reed needs to recuse himself from this decision because of a work relationship with Mr. Purjes, there was no agreement on how to proceed. Topic to be continued at a special meeting on Wednesday, December 17th at 6:30pm.

#### **New Town Moderator: discuss potential changes to Warning for Town Meeting**

VLCT training suggested that perhaps a change in order of Articles or that Articles might be worded differently. Mr. Boyd asked the boards permission to review the Warning before it is finalized. The board happily agreed.

#### **Transfer Station:**

Public comments on updated Solid Waste Implementation Plan Sara Martin read the majority of the SWIP and she had lots of questions, all of which were answered to her satisfaction. There were no other comments from the public.

Approve and adopt Solid Waste Implementation Plan with no public concerns received during the two public comment periods of November 12 and December 10, 2025, **a motion was made by Scott M. Reed to approve and adopt the 2025 Solid Waste Implementation Plan for the years 2026 through 2031 and to appoint Scott M. Reed to sign it, seconded by Skip Tefft, three in favor, Mr. Hammer abstained.**

Other we received a Notice of Alleged Violation for the Transfer Station today, the result of a surprise inspection on November 18<sup>th</sup>. Most of the violations were related to not having labels on recyclable items that had been collected. We will have to file an amendment to our Certification because we collected more C&D and tires than our Certification allows. There is a list of 8 items in total that need to be addressed, and a response is required within 14 days. Gig will work on it.

#### **Highway: review and sign documents regarding bridges #44 and #47**

The state inspected bridges over two months ago, on November 25<sup>th</sup> we received two letters from the state. The first letter, regarding bridge #44 on TH-64 over the North River, noted the

inspection finding and recommended the bridge be closed until a replacement project or proper repairs can be completed. Mr. Janovsky drew plans to address the problem and the state approved of the plan on November 26<sup>th</sup>.

The second letter, regarding bridge #47 on TH-67 over the North River recommends that the Town, within the next 30 days, legally post the bridge at both ends for a maximum gross weight of 6,000 pounds or 3 tons. Mr. Janovsky will repost the bridge.

**A motion was made by Scott M. Reed to approve and sign the response to the state on both of these letters, seconded by Skip Tefft, all in favor.**

#### **Highway Garage:**

##### **ESA Amendment to add public engagement to contract**

We currently have an engineering services agreement (ESA) with Stevens & Associates in the amount of \$343,250 to design and engineer a new highway garage, obtain a cost estimate, permitting, prepare construction documents, handle the construction bidding, oversee construction, etc. This amendment adds \$17,550 to help with public engagement including attending the open house we already had, as well as other engagement to prepare the public for a bond vote. Mr. Hammer feels that is a lot of money and that if we (the town) cannot sell the project to the voters, then we must not feel strongly enough about it.

We received a new contract amendment for the sprinkler system at \$24,100. Chip Dana of Stevens & Associates would like a meeting next week to go over 90% plans before they go out for bid.

Both contract amendments and 90% plan review are to be addressed at special meeting on December 17<sup>th</sup> at 6:30pm.

**Water test results** Lynde Well Drilling performed water tests of the highway garage well, for potability only Iron was outside of standard. As far as water pressure, they performed a flow test, pumping down to 50.5' and it recovered at 0.50gpm to 0.75gpm.

#### **Sewer: review and sign allocation Letter of Intent for Joe Burke**

At the November 7, 2025 Selectboard meeting the board approved a sewer allocation of two equivalent units for Joseph Burke at 267 Academy Road contingent on receiving payment of \$5,625 due on the application. Mr. Burke is concerned that he may not be able to get a state wastewater permit or an Act 250 permit within the 1-year timeframe of that application. Therefore, he didn't want to pay the application fee until he is sure of the state permits. Instead, John Dupras, Engineer, suggested that the town issue a letter of intent to reserve capacity for two equivalent units for a period of 180 days for a fee of \$300.

**A motion was made by Craig Hammer to approve the letter of intent for Joseph Burke to expire on June 8, 2026, and to appoint Scott M. Reed to sign it, seconded by Rick Gramlin, all in favor.**

### **Culvert project:**

“Substantial Completion” is scheduled for December 14<sup>th</sup>. We have had some snow delays. They still need to finish removing the temporary culvert, backfill the area, and if lucky lay down some temporary pavement for the winter, as well as clean up all the equipment and materials on the municipal center lot. Communication and power lines need to go into the new underground conduit.

There may be enough money left in the grant to completely repave and reline the municipal lot in the spring. The state has not promised but indicated it is highly likely that we can keep the grant open beyond the December 31<sup>st</sup> deadline they had set.

### **Property Insurance: discuss potential changes to covered values**

At Town Meeting in March of 2025 Greg Brown suggested that the insurance coverage on the historical buildings be increased due to the repairs and painting costs that were voted on. Mr. Janovsky reviewed the property schedule and suggested increasing the building and contents value of the two fire houses and increasing the value of the town garage.

After some discussion it was decided that Gig should invite VLCT to January 7<sup>th</sup> meeting to discuss the property values but first discuss with Mr. Janovsky as to why he suggested the changes in value.

### **26/27 Budget: review first draft**

A first draft of the budget for fiscal year end June 30, 2027, was presented to the board for review. We will go over it in more detail during the special meeting on December 17<sup>th</sup>.

### **Review January 2026 newsletter**

Gig presented the January 2026 newsletter for the board to review and approve. She would like to get the newsletter all set to mail before Christmas because she would like to take a few days off between Christmas and New Year.

### **Approval of Payables Warrant – December 11, 2025**

An invoice from the Windham Regional Commission was received after the payables warrant was finalized, we need to add it tonight because we are trying to get all the expenses on the culvert project paid so we can determine the balance of grants funds we have available to finish the project. **A motion was made by Scott M. Reed to approve Payables Warrant #W2624 with the addition of \$2,911.44 to WRC, dated December 11, 2025, seconded by Rick Gramlin, all in favor.**

### **Approval of Payroll Warrant – December 11, 2025**

**A motion was made by Rick Gramlin to approve Payroll Warrant #W2623 dated December 11, 2025, seconded by Scott M. Reed, all in favor.**

### **Approval of Minutes of November 12, 2025 meeting**

**A motion was made by Scott M. Reed to accept the Minutes of November 12, 2025, as written, seconded by Skip Tefft, all in favor.**

**Other business:**

The next regular Selectboard meeting is scheduled for December 24<sup>th</sup>, do we want to cancel it? YES.

Mr. Hammer suggested that Mr. Janovsky should speak with the Gamache's on School Street about their trailer in town right of way, or a letter should be written asking them to remove it. The town cannot be liable for damage that might be caused by a plow.

**Executive Session to discuss employee work assignments in accordance with 1 V.S.A. § 312 (g)**

**A motion was made by Scott M. Reed to enter executive session to discuss employee work assignments in accordance with 1 V.S.A. § 312 (g) to include Rachel Littlehale, seconded by Craig Hammer, all in favor.** Gig left the building so the recording of the meeting was completely terminated at this time.

With no decisions made executive session ended at 9:14pm

**Adjourn**

**A motion to adjourn was made by Scott M. Reed, seconded by Rick Gramlin, all in favor.**

Scott M. Reed adjourned the meeting at 9:15pm.

Respectfully submitted,

~Gig Zboray