



**Town of Whitingham  
Office of the Selectboard**

**MINUTES OF DECEMBER 13, 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, December 13, 2023.

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

Others present: Gig Zboray, Selectboard Office Administrator; Seth Boyd, and Travis Wheeler, residents. Matt Murano, Chief of Police. Stanley Janovsky, Road Commissioner/Fire Chief.

**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)**

Seth Boyd came to discuss some Parks Committee questions, he would like the drawing done soon for the pavilion addition so the RFP can go out for bid. Scott Reed will contact the appropriate person. A plaque is needed on the new monument wall as a space holder, they want to install a temporary one, the quote came back at about \$5,000, it was not budgeted. The board suggested adding it to the Parks Committee budget for next year and include information about it in the annual report.

The grill is still laying on the ground, Mr. Boyd asked the highway crew to store it somewhere for the winter, it is too heavy for the volunteers to handle.

**Policing: update from Chief Murano**

Chief Murano provided an update on the search for the alleged perpetrators of all the school burglaries. They have handled over 200 incidents in town, many at the school. The Wilmington PD has sent a proposal to the TV School district for a School Resource Officer, because the PD is not staffed to answer school calls on a regular basis. Chief Murano suggested that at the end of the year we provide him with an accounting of payments received from the state for municipal fines to make sure the state is paying back properly.

**Complaint Procedure**

If Gig responds to a complaint in a way that does not satisfy the complainant, she usually suggests that person attend a Selectboard meeting so the board can address the complaint. New procedure would be for the complainant to write a written complaint to the Selectboard so they can decide if they want to address it.

### **Request to rent office space**

Due to poor internet service at her home office Stacy Birch has written a request to rent office space at the Municipal Center until fiber is connected at her home. Such a thing has never been done before. Due to the precedent it would set, the board denied the request.

### **Fire Department: discuss two-year plan to replace Scott air packs**

Chief Janovsky noted that many of their air bottles are approaching 15 years, two packs are not NFPA complaint (out of the 10 they have). The fire department is planning to replace half in the 24/25 fiscal year and half in the 25/26 fiscal year. They are currently researching refurbished packs which would be significantly less expensive. Chief Janovsky is looking into less expensive bottles as well.

### **Hazard Mitigation: review and sign engineering contract**

A contract from MSK Engineers was received for the culvert project. Attorney Fisher made changes, some of which MSK did not agree with. We haven't reached a final agreement yet.

### **Sewer**

#### **New discharge permit requirements and moving forward with project (change order #12)**

Our new Whitingham discharge permit will require much more testing but also requires a dilution study, the results of which may or may not address the new phosphorous requirements in the permit. Gig has been trying to fight the permit, she has enlisted our state representative, Tristan Roberts, to try to get us a "administrative delay" for one, but preferably two-years. The new equipment has not yet been installed at Whitingham, but testing requirements will begin as soon as the permit is issued, likely in January 2024. It doesn't make any sense to test with the old equipment or while the equipment is removed, and all the waste is being pumped out to another facility. There is potential that addressing phosphorous could be an expensive unfunded state mandate. Gig spoke to the engineer today. He will prepare a spreadsheet for Alternates E-Q with cost, and weights as to permit requirement, operator safety, operator request in order for us to go through each alternate and decide if we want to proceed with it. The Whitingham discharge permit requires some new equipment that is not included in the overall sewer project yet, so those items will be added to the spreadsheet for review.

#### **Review and sign engineering services agreement for Act 250 requirements and fighting the Whitingham discharge permit requirements**

We received an engineering services agreement (ESA) from Weston & Sampson to answer the state's question as to the need for an Act 250 permit on our current project and to help us fight the new discharge permit requirements. This ESA is for time and expenses up to \$5,000. The town attorney reviewed, and made changes to the original ESA. The board reviewed the final ESA, **a motion was made by Greg Brown to approve and appoint Scott Reed to sign the ESA with Weston & Sampson engineers for time and expenses up to \$5,000, seconded by Robin Kingsley, all in favor.**

**Change Order #8** the bulk of change order #8 is for two additional blowers. The engineer's drawings clearly show two blowers for each plant but the technical specifications reference furnishing "2 blowers" for the project. This seems like an engineer error. At this point it's unknown if the state will cover the change. Gig sent this along to the town attorney. He prepared a letter to reserve the

right to fight this later when we close the contract if necessary. The board approved of Gig signing Change Order #8 for a total of \$50,359.00.

**24/25 budget: review first draft**

A first draft of the 24/25 budget was prepared by Ms. Aekus using the 3% COL increase the board approved at the last meeting and updating line items as her professional common sense directed and as updated by department heads.

The only changes to be made to the budget at this time are to increase sewer testing to \$21,500 and equipment to \$3,000.

Gig had requested a raise, the board asked for comparisons with other towns.

**Approval of Payables Warrant – December 14, 2023**

**A motion was made by Greg Brown to approve Payables Warrant #W2424 dated December 14, 2023, seconded by James Weber, all in favor.**

**Approval of Payroll Warrant – December 14, 2023**

**A motion was made by James Weber to approve Payroll Warrant #W2423 dated December 14, 2023, seconded by Robin Kingsley, all in favor.**

**Review and approve Minutes of November 15, 2023**

**A motion was made by James Weber to accept the Minutes of November 15, 2023, as written, seconded by Scott M. Reed, all in favor.** The regular meeting scheduled for November 29, 2023, was cancelled.

**Other business**

**Fishing Derby** Stanley Janovsky requested that the Selectboard allow a change in traffic patterns for the annual Fishing Derby. **A motion was made by James Weber to allow the following:**

*Beginning at 8am on Friday morning, January 19, 2024, to 8pm on Saturday, January 20, 2024 (bad weather/ice dates Friday, January 26, 2024 to Saturday, January 27, 2024) the following will be in force:*

*Sadawga Lake Road from Town Hill Road to Kentfield Road will be One Way Vehicular Traffic (north to south).*

*The second lane of Sadawga Lake Road will be reserved for parking.*

*Head of Pond Road will be open to include Recreational Vehicle travel.*

*It is anticipated that Recreational Vehicles will be in use on Maple Drive, Sadawga Lake Road, Kentfield Road to Head of Pond Road and on Head of Pond Road.*

**Seconded by Greg Brown, all in favor.**

**Health Officer** a complaint (verbal) was filed against 7783 VT Route 100, saying they have no septic system, their waste just exits a pipe from the house into the ravine. Gig inspected the property in April of 2017 but found no evidence. A letter was sent asking for voluntary compliance to allow a dye test and the information was passed along to the state. Nothing

more came of it. Gig reported the new complaint to the state, they say the Health Officer needs to go out there to conduct the dye test. Gig will send another letter requesting voluntary compliance and if no response will pursue it further.

Sewer complaint response We received a letter from a sewer user complaining of yearly cost increases. The board reviewed and signed a response letter.

Resignations For those resigning, please submit a letter of resignation to be effective at the end of town meeting (or whenever you wish) before the next meeting. Interested persons need to submit a petition by January 18<sup>th</sup> but the newsletter goes out in early January so it should be official that the position is available.

Jacksonville Pond Dam are we interested in removing the Jacksonville Pond Dam? It is a “high hazard” dam. The state has lots of funding to remove high hazard dams. The board is not interested.

Hazard Mitigation the board reviewed and signed a letter of support for downstream project grant application.

**Adjourn**

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

Scott M. Reed adjourned the meeting at 8:14pm.

Respectfully submitted,  
~Gig Zboray