

**Wilmington Selectboard/Sewer Commission**  
**January 7, 2015 at 6 pm**  
**MINUTES**

**Selectboard Members Present:** James Burke, Jacob White, Diane Chapman, Thomas Fitzgerald, Susan Haughwout

**Others Present:** Scott Murphy, Jessica DeFrancesco, Chris Mays of Brattleboro Reformer, Jack Deming of Deerfield Valley News, Christine Richter, Tom Consolino, Jennifer Fitzgerald, Bill & Carol Herbert, John Lazelle, Wayne Elliott, Bob Fisher

**1. Visitors, Public Comments, Possible Changes to Agenda:**

- a. Jennifer Fitzgerald and Bill Herbert spoke to the Selectboard regarding their goals for creating a senior brochure listing available area resources. They also discussed the hope to open a “closet” for durable medical equipment needed on a short term basis, and a resource directory for seniors. Chapman inquired about a budget breakdown of the \$10,000 they are petitioning for at Town Meeting. Haughwout stated that she supports the initiative, but does not support it coming from the general fund. Burke and Haughwout both suggested that the 1% Option Tax might be looked at as a better funding source rather than an article at Town Meeting. Fitzgerald stated that they would like to be on the next agenda, and they will have a presentation, with examples from other towns that have started similar projects.

**2. Minutes:** White moved and Haughwout seconded to approve minutes of December 17, 2014; all in favor.

**3. Action Item:** None

**4. Wayne Elliott of Aldrich & Elliott to Discuss USDA Application:** Elliott reviewed the USDA application for the Wastewater Treatment Refurbishment Project. The Town may be eligible for a 40% grant even though we are only including 25% in the application. Other discussion focused on the voting process and repayment process. Richter inquired about the repayment amounts and options to make the ECU cost smaller. Many sewer customers are restaurants and businesses who have numerous ECU’s, so to increase the cost per ECU would affect them greatly, which could hurt economic development of the downtown. Elliott commented that it would be about one and a half years until the first payment would be due. Haughwout moved to approve the USDA application for the Wastewater Treatment Refurbishment Project, Chapman second; all in favor.

Haughwout moved to authorize Town Manager Scott Murphy to execute the application and other related documentation for the above project, Burke second; all in favor.

Further discussion on the State Revolving Loan that would be used as a “bridge loan” or line of credit, and the Engineer Agreement which covers permits and bond vote assistance.

Haughwout moved to go into Sewer Commission, Burke second; all in favor.

Haughwout moved to rectify the earlier motions on the USDA application and the authorization of Scott Murphy to execute; Burke second; all in favor

Haughwout moved to approve the State Revolving Loan Fund Application for the Engineering and Final Design, Burke second; all in favor.

**5. Executive Session for Contract Discussions:**

Burke moved to go into Executive Session at 7:00 pm to include John Lazelle, Wayne Elliott and the Town Manager pursuant to Chapter 1 VSA 313. The Town’s attorney, Bob Fisher, was called into the executive session.

Closed Executive Session at 7:15 pm, no action taken.

**6. Sewer Commission Meeting: John Lazelle to present Sewer Allocation Applications**

- a. Peter Wallace dba Folly Foods is asking for an additional 200 gallon allocation for a total of 440 gallons per day. Since he is already open and has the seats, Lazelle is asking the Board to

grant him final approval. Haughwout moved for final approval of Peter Wallace dba Folly Foods sewer allocation, Chapman second; all in favor.

- b. Isabelle Alvarado dba The Village Roost is asking for an additional 840 gallons for a total of 1440 gallons per day. Haughwout moved to approve the preliminary allocation for additional gallonage, White second; all in favor.
- c. Sewer Budget-there is a 1% increase from last year. Burke moved to approve the FY16 sewer budget as discussed during budget preparations, Chapman second; all in favor.

The Board came out of Sewer Commission at 7:20 pm.

**7. Hermitage Request for Ground Lease Consent Form for Refinancing Glebelands:**

- a. Attorney Bob Fisher is representing the Hermitage Inn Real Estate Holdings on this matter. Berkshire Bank is refinancing the Hermitage Club and requested the Selectboard sign this ground lease agreement. Fisher explained that there has never been any consent requested previously by prior banks when mortgaging the property on Haystack Mountain. Murphy stated that Attorneys Chris Cady & Chris Dugan looked over the consent request and made some changes which Attorney Fisher and the Hermitage agree with. Minor typos were noted. Haughwout asked if former leases had been signed by both the Selectboard and the Water District. Yes the Water District has signed in the past, and they are listed on the agreement so they will have to sign this one as well. Haughwout moved to approve the Glebelands Refinancing Request made by the Hermitage and the Selectboard to sign when the clean copy comes back, Burke second; all in favor.

**8. Classification of Haystack Rd from Mann Rd to Mowing Way:**

- a. This part of the road was taken over by the Town through tax sale but never got classified. Attorney Fisher spoke, representing the Town of Wilmington, recommending it be classified as a Class 4 road. There are 3 classes:
  - Class 3-town maintained for your basic pleasure car
  - Class 4-town doesn't maintain in the winter, possibly some light grading in the summer, essentially unmaintained
  - Town Trail-legal public Right of Way, the Town has no duty of maintenance. If a landowner wants to build off the trail, they would need to improve the road to the Towns specifications.

Chapman moved to classify Haystack Rd from Mann Rd to Mowing Way as a Class 4 town highway, Haughwout second; all in favor. Fisher stated that a notice to abutters would have to be sent, a hearing held, and findings written. Murphy will set up a site visit and conduct the required hearing in the spring.

**9. Guidelines for Use of 1% Local Option Tax Money:**

- a. Discussed setting a date for public discussion to possibly amend the guidelines of the procedures for funding requests using the 1% fund. Consolino inquired if this was something that had to go to the voters. It does not, as this is a document that the Selectboard drafted, the voters didn't vote on the guidelines, only on the approval of the tax and establishing the fund. On January 21<sup>st</sup> a public discussion will be held during the Selectboard meeting to possibly amend the guidelines.

**10. Correspondence:**

- a. Board reviewed their mail and the Act 25 log.

**11. Other Business:**

- a. Burke wanted to set a date to go over and amend a line item and then reapprove the FY16 budget. The board agreed to meet at 5:45 pm, before their regular meeting, on January 21<sup>st</sup>.

**12. 13. Town Manager Updates:**

- a. Discussed the upcoming Windham Regional Commission Project Review Committee of the Hermitage is scheduled for January 13<sup>th</sup> at 5:30 pm. A couple of board members are going to try to attend.

**13. Selectboard Members Comments and Other Action Items:**

- a. Discussed the Town Report dedication

Chapman moved to adjourn meeting at 8:10 pm.

Respectfully submitted,

Jessica DeFrancesco, Administrative Assistant

**Approved by Wilmington Selectboard:**

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James R. Burke, Chair

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Diane Chapman, Vice Chair

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Susan Joy Haughwout, Clerk

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Jacob White

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Thomas J. Fitzgerald