

**Wilmington Selectboard Agenda**  
**September 21, 2021 at 6:00 pm**

1. Visitors, Public Comments, Possible Changes to the Agenda
2. Approve Minutes of September 7, 2021 (5 minutes)
3. Action Item(s):
  - *The Selectboard to accept amended Zoning Articles IV, VII and X from the Planning Commission*
  - *The Selectboard to possibly appoint Jeff Menges to the Trails Committee for the remainder of a 4-year term expiring April 2025.*
4. Bank Resolution (5 minutes)
  - *The Selectboard to possibly approve the resolution for the Government contract for the Volvo excavator between KS StateBank and Town of Wilmington.*
5. Trails RFP (30 minutes)
  - *Trails Committee to update the Selectboard on the Hoot, Toot and Whistle Trail project and a potential RFP.*
6. Other Business
7. Select Board Members Comments
8. Town Manager's Updates (5 minutes)
9. Executive Session (10 minutes)
  - *The Selectboard to enter into executive session to review a revolving loan application.*
  - *The Selectboard to possibly approve the revolving loan application.*
  - *The Selectboard to enter into executive session to discuss attorney client communication pertaining to Superior Court tax appeal case Schlatka v. Town of Wilmington, Neuner v Town of Wilmington, and Lane v Town of Wilmington.*

## Wilmington Selectboard Meeting Minutes September 7, 2021

**Present:** Tom Fitzgerald, Vince Rice, Sarah Fisher, Tony Tribuno **Absent:** John Gannon  
**Others Present:** Scott Tucker, Jessica DeFrancesco, Matt Murano, Amelia Nick-DVN, Jim Wiesner, Jessica Lee Smith

Meeting called to order at 6:00 pm

1. Visitors, Public Comments, Possible Changes to the Agenda
2. Approve Minutes of August 17, 2021
  - Rice moved to approve the minutes of August 17, 2021, Fisher second; 3-0, Tribuno abstained.
3. Action Item(s):
  - Fitzgerald moved to appoint the Town Manager as voting delegate at VLCT's annual business meeting on September 29, 2021, Rice second; all in favor.
  - Fitzgerald moved to accept, with deep regret, the resignation of Ann Ottaviano from the Trails Committee, Fisher second; all in favor.
4. Police Dept
  - This cruiser purchase is replacing a 2016 Ford Explorer on its normal rotation. We will get some money back when the Explorer goes to auction. This purchase is a 2021 Dodge Durango. There have been some issues with the Explorers, so other options were explored. Production is an issue, but this is our best hope. Fisher moved to approve the Cruiser purchase in the amount of \$32,808.40, Rice second; all in favor.
  - Chief Murano discussed the Use of Force Policy as a statutory requirement, meaning agencies would be ineligible for state funding if it were not adopted, including participation at the Vermont Police Academy, where officers receive full-time and part-time certifications to serve state and local agencies. This new policy replaces the current "response to resistance" policy developed by VLCT. The officers have already received training on this new Use of Force policy; there will be state training, and follow-up department training conducted. Jessica Smith feels it is unwise to go in this direction by allowing the state to dictate policy that may affect officer safety. Fisher moved to approve the Use of Force Policy, effective October 1, 2021, Fitzgerald second; 3-1 Rice opposed.

Fitzgerald moved to enter into Liquor Commission at 6:40 pm, Rice second; all in favor.

5. Liquor Commission
  - Rice moved to approve Request to Cater Permits and an Open Container Ordinance Exemption for Jim's Bistro at the Roadhouse for the Wine and Harvest Stroll on September 24<sup>th</sup> at Chapman's Antiques, Bartleby's Books, Pettee Memorial Library, Memorial Hall, Chamber of Commerce, and Incurable Romantic, Tribuno second; all in favor.

Out of Liquor Commission at 6:42 pm.

6. Other Business

7. Select Board Members Comments

8. Town Manager's Updates

- Wilmington's Fire Dept. Association fed 123 seniors chicken dinners last Sunday.
- VT Geeks will be installing a cloud-based back-up to our town computers. He will be at our October staff meeting to discuss cyber security.
- Mt Snow is planning to open on November 19<sup>th</sup>.
- Mark Dooley 5k race has been cancelled out of an abundance of caution, but there will be a memorial service on Saturday, Sept. 18, 2021, 9:00 a.m. at OSEC.
- Public Safety Building is still a few weeks behind due to rain.
- ARPA funding is based on the population; we should see \$536,895.96.

Meeting adjourned at 6:56 pm.

Respectfully Submitted,  
Scott Tucker, Town Manager

Approved by the Wilmington Selectboard:

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Thomas Fitzgerald, Chair

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John Gannon, Vice Chair

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Vince Rice, Clerk

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Sarah Fisher

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Tony Tribuno

To Scott Tucker and Members of the Town of Wilmington Selectboard—

Concerning my interest in becoming a member of the Wilmington Trails Committee, and for your consideration.

Wilmington has become my home, year-round, by choice. I have always felt more connected to a natural environment than circumstances may have allowed in the past, but coming here within the last two years was a move I made to get closer to that goal. Appreciation for the environment in Wilmington is visible, and I embrace the stance being taken by residents to ensure that it continues, thrives, and contributes to the well-being of the town. Being on the Trails Committee is a small but important step I can take to be part of that, and for me to support an idea that I whole-heartedly endorse.

About me—

Working life for me has been centered around illustration and publishing. In the past four decades I've held numerous positions in New York-based publishing companies; as a Designer, Art Director, and Editor in the acquisition of art-related books. After earning a Masters degree in 2007, I taught at a major University in New Jersey. There are over 40 books in print that I am listed as author or editor for. All throughout that time I have nurtured an illustration career, which is now my full-time occupation. I am a proud member of the Society of Illustrators.

My artwork has been on display from Stockholm to Seattle, and it is owned by collectors all over the globe. Environments play a huge part in my work; and being in a place like Wilmington was an intentional move, to surround myself with scenery more in tune with the work I hope to produce in the future. I am an avid hiker and kayaker, and have been visiting Vermont since I was an undergraduate in art school.

I am living in Wilmington with my wife Lynne. We have two grown children, Matt and Julia.

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I look forward to helping make this program more successful, and contributing to the benefit it can have for the town.

Thank you for your consideration.

Jeff A. Menges

EXHIBIT D  
OBLIGOR RESOLUTION

RE: Government Obligation Contract dated as of September 8, 2021, between KS StateBank (Obligee) and Town of Wilmington, Vermont (Obligor)

At a duly called meeting of the Governing Body of the Obligor (as defined in the Contract) held on September 21, 2021 the following resolution was introduced and adopted:

BE IT RESOLVED by the Governing Body of Obligor as follows:

- Determination of Need.** The Governing Body of Obligor has determined that a true and very real need exists for the acquisition of the Equipment described on Exhibit A of the Government Obligation Contract dated as of September 8, 2021, between Town of Wilmington, Vermont (Obligor) and KS StateBank (Obligee).
- Approval and Authorization.** The Governing Body of Obligor has determined that the Contract, substantially in the form presented to this meeting, is in the best interests of the Obligor for the acquisition of such Equipment, and the Governing Body hereby approves the entering into of the Contract by the Obligor and hereby designates and authorizes the following person(s) to execute and deliver the Contract on Obligor's behalf with such changes thereto as such person(s) deem(s) appropriate, and any related documents, including any Escrow Agreement, necessary to the consummation of the transaction contemplated by the Contract.

Authorized Individual(s): Scott A. Tucker, Town Mgr.  
(Typed or Printed Name and Title of Individual(s) authorized to execute the Contract)

- Adoption of Resolution.** The signatures below from the designated individuals from the Governing Body of the Obligor evidence the adoption by the Governing Body of this Resolution.

Signature: \_\_\_\_\_  
(Signature of Secretary, Board Chairman or other member of the Governing Body)

Printed Name & Title: \_\_\_\_\_  
(Printed Name and Title of Individual who signed directly above)

Attested By: \_\_\_\_\_  
(Signature of one additional person who can witness the passage of this Resolution)

Printed Name & Title: \_\_\_\_\_  
(Printed Name of Individual who signed directly above)

# Hoot, Toot, and Whistle Trail Improvements

Select Board Meeting

September 21, 2021

The Wilmington Trails Committee request to submit an RFP for trail improvements on the two-mile Hoot, Toot, and Whistle Trail. Windham Regional Commission placed a trail counter over a twelve-day span in July of 2021 calculating an average daily use of 41 counts with a high on July 4<sup>th</sup> of 103 and several of these days were cool and rainy. This is a very popular trail as it is not too long of a hike, is picturesque, and leads to a great location on both sides.

The improvements would provide long term sustainability and raise the trail to Rail Trail Standards as well as provide ease of use for families with strollers, bikes, and potential winter uses. Upgrading the trail with gravel, where needed, is the vision. Some sections of the trail are constantly wet and muddy while others are hazardous due to the terrain (roots, rocks, windy and uneven course). Other areas of the path have suffered considerable erosion and will require some remedial design. Ideally, those sections, would be rerouted or engineered to create a more level, or at least a gentler, sloping path. With these improvements; we will see increased usage on the Hoot, Toot, and Whistle Trail.

Once we have a cost estimate through the RFP process, we would come back to the Select Board to request matching grant funds to apply for a recreation grant.

## Scope of Work by an Engineer:

Review of current trail and Scoping Study of 2007

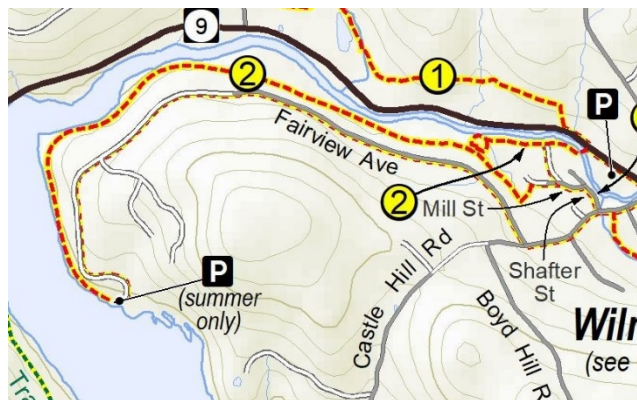
Suggest reroutes as needed

Final Design/Construction Plans

State Permitting

Cost estimation for Construction

Construction Time Frame: Summer 2022 depending on state permitting



**From:** "Staib, Stephanie" <[sstaib@therichardsgrp.com](mailto:sstaib@therichardsgrp.com)>

**Date:** September 16, 2021 at 8:38:07 AM EDT

**To:** [carlotta.gladding@gmail.com](mailto:carlotta.gladding@gmail.com)

**Subject:** **Wilmington Trails**

This message was sent securely using Zix®

Wilmington Select Board:

As a frequent user of the Trails in Wilmington, I would like to support the repairs and alterations that are being proposed by the Wilmington Trails Committee. It provides both local residents and visitors the ability to enjoy our Town on foot, from our shops to the lake. Many different walks are planned along this route and better grading would ensure a safer environment.

Regards,

Stephanie Staib