

Wilmington Selectboard Agenda
October 19, 2021 at 6:00 pm

1. Visitors, Public Comments, Possible Changes to the Agenda
2. Approve Minutes of October 5, 2021 (5 minutes)
3. Action Item(s):
 - *The Selectboard to possibly set a date for the zoning ordinance amendment hearing*
 - *The Selectboard to possibly approve Peckham Industries' bid for winter sand for the 2021-22 season at \$17.20/cy delivered.*
4. Mail-In Ballots
 - *The Selectboard to discuss possible mail-in ballots for town meeting 2022.*
5. Old Home Week (15 minutes)
 - *The Old Home Week Committee to update the Selectboard on the event.*
6. Beaver Brook Children's School Update (15 minutes)
 - *Julie Koehler to give an update on the children's school opening at OSEC.*
7. 1% Local Option Tax Fund (10 minutes)
 - *The Selectboard to possibly approve a request for \$4000 for a Bylaw Modernization Grant Program, and approve the Resolution.*
8. Mt Snow Update (15 minutes)
 - *Tracy Bartels to update the Selectboard on the upcoming winter season.*
9. Other Business
10. Selectboard Members Comments
11. Town Manager's Updates (5 minutes)
12. Executive Session (10 minutes)
 - *The Selectboard to enter into executive session to discuss the possible purchase/buyout of buildings for the Flood Resilient Communities Fund (FRCF) application, and for a Hazard Mitigation Grant Program (HMGP) application.*

Wilmington Selectboard Minutes October 5, 2021

Present: Tom Fitzgerald, John Gannon, Vince Rice at 7 pm, Sarah Fisher, Tony Tribuno

Others Present: Scott Tucker, Jessica DeFrancesco, Ryan Todd-DCTV, Cheryl LaFlamme, Matt Murano, John Lazelle, Jessica Lee Smith, Christine and Dennis Richter, Deb Kingsley, Jerry Osler, Lenny Chapman, Amelia Nick, Lynne Matthews, Elizabeth McEwen, Kay Martin Schwader, Diane Schipke, Patti Long, Therese Lounsbury, John Lebron,

Meeting called to order at 600 pm

1. Visitors, Public Comments, Possible Changes to the Agenda
 - Therese: there have been a lot of changes due to Act 60, and encourages discussion about mail-in ballots prior to town meeting.
 - Add Neuner v Town to the executive session.
2. Approve Minutes of September 21, 2021
 - Gannon moved to approve the minutes of September 21, 2021, Tribuno second; all in favor.
3. Action Item(s):
 - Gannon moved to participate in a National Opioid Settlement, and to name the Town Manager as the authorized agent to sign binding documentation, Fisher second; all in favor.
4. Listers
 - The Listers are requesting for their Board to be reduced to a three-member Board of Listers for one year, and the following year transition to an Assessor's Office. Finding an Assessor will be a challenge. Gannon commented that it didn't seem like the Listers had an understanding of how ProVal arrives at a value for a property. Lounsbury commented that ProVal is only as good as the data it has been supplied. So, the BCA would be comparing the appraisal vs the listers card; there's no way to determine if one is working properly. Training will be set up and it would be helpful if all of the Listers and BCA members would be present.
5. Police Cruiser
 - The vendor has been used the last few years and are competitive. Gannon moved to approve the cost of the cruiser upfit in the amount of \$12,154.52, Fisher second; all in favor.
6. Beautification Committee
 - LaFlamme wanted to remind everyone that the Schindel's were the start of the Beautification Committee. Gannon moved to accept very reluctantly, the resignation of Lee Schindel from the Beautification Committee, Fisher second; all in favor.
 - Gannon moved to amend the Beautification Charge to allow for two alternate positions, Fisher second; all in favor.

Fitzgerald moved to enter into sewer commission at 6:55 pm, Fisher second; all in favor.

7. Sewer Commission

- Gannon moved to approve preliminary allocation for 1A Coffee Roasters for an additional 180 gpd, Tribuno second; all in favor.

Out of sewer commission at 6:58 pm.

Fitzgerald moved to enter into liquor commission at 6:59 pm, Gannon second; all in favor.

8. Liquor License

- Gannon moved to approve an Open Container Exemption and Request to Cater Permit for Jim's Bistro at the Roadhouse for events at Memorial Hall on October 16, November 20, and December 4, 2021, Fisher second; all in favor.

Out of liquor commission at 7:00 pm.

9. Other Business

*Rice arrived

10. Selectboard Members Comments

- Fisher has had some complaints about the traffic on Rt 9 at Dunkin Donuts some mornings. Checking the traffic study from Act 250 and going from there may be the next step.

11. Town Manager's Updates

- VT Geeks and DCTV will be meeting to look over what we are proposing for hybrid; which could be paid for with ARPA funds.
- Tracy Bartels will be coming to the next meeting with an update.
- Appeal notice received from Vida Holdings LLC; going to PVR

12. Executive Session

- Fitzgerald moved to find that premature general public knowledge of the confidential attorney/client communications would put the town at a substantial disadvantage, Fisher second; all in favor.
- Fitzgerald moved to enter into executive session at 7:20 pm, to include the town manager, to discuss attorney client communication pertaining to Superior Court tax appeal case Lane v Town of Wilmington and Neuner V Town, Rice second; all in favor.

Fisher exited at 7:40 pm.

Out of executive session at 7:47 pm

Meeting adjourned at 7:48 pm

Respectfully Submitted,
Jessica DeFrancesco, Administrative Assistant

Approved by the Wilmington Selectboard:

Thomas Fitzgerald, Chair

John Gannon, Vice Chair

Vince Rice, Clerk

Sarah Fisher

Tony Tribuno



Peckham Industries, Inc.
172 Prospect Hill Rd, Brewster, NY 10509
(914) 949-2000

10/13/21

Job Description: winter sand	
* * * PRICING IS ONLY VALID FOR 30 DAYS FROM QUOTE DATE * * *	
Quote Date: OCT. 13, 2021 Job Completion Date: DEC. 31, 2020 Quote Expiration: OCT. 13, 2022 Project Location: Asphalt Base Price: 0.000 Salesman Information Name: Dan Dearstyne Phone: Mobile: Fax: Email: ddear@peckham.com Quote ID: 10000095685 - 5	Customer: Town Of Wilmington HIGHWAY DEPARTMENT PO BOX 217 WILMINGTON, VT 05363 Project Contact Name: Jessica Defrancesco Project Phone No: 8024648591 Project Fax No: 802-464-8477 Project Contact Email: jdefrancesco@wilmingtonvt.us Job No: P.O. No: Winter Sand Property Owner Name: Street: City, State Zip:

Quantity	Unit of Measure	Product Description / DOT Item Code	Conv Factor	QC Index	Unit Price		Extended Total	
					FOB	Delivered	FOB	Delivered
4000	Cubic Yards	Shaftsbury Gravel/Stone						
		WINTER SAND			8.20		32,800.00	
4000	Cubic Yards	Tri-Axel Truck Rental			9.00		36,000.00	
					Tax not included			
					Total			68,800.00

1.) Superpave. This project may include Superpave asphalt or other HMA items, as well as payment adjustments for in-place density, joint construction, and smoothness. The Contractor agrees to full payment for all asphalt materials which meet the specification and are approved at the plant by DOT's Material Bureau, subject to a Plant QC/QA Adjustment (if any) described in Paragraph 2, below. Contractor agrees that Peckham will not be held responsible for reduced payments made by NYSDOT or other Agency resulting from placement deficiencies including, but not limited to, mat density, joint construction, and pavement smoothness.

2.) Plant QC/QA. If any HMA item quoted herein is supplied to an Agency which adjusts pricing based on NYSDOT HMA Plant Quality Control (QC/QA), then Peckham shall adjust the quantity, up or down (hereinafter termed a "QCU adjustment"), according to the formula used by NYSDOT. The price for these Quality Control Units shall be the price stated in the column above titled "QC Index". In no event shall Peckham be liable for any other damages, whether direct or consequential, arising out of an adjustment in QCU's.

3.) Price Adjustment. Peckham shall adjust prices ("escalation" or "de-escalation") to reflect the Asphalt Price Adjustment.

4.) True and Leveling Courses. T & L shall be priced according to the mix (Product Item #) actually supplied, unless otherwise agreed to in writing.

5.) All payment terms, conditions, and credit policies of Peckham Industries, Inc. and its Subsidiaries shall be applicable.

Salesman	Customer
Accepted by: _____ Name: _____	Accepted by: _____ Name: _____
Acceptance Date: _____	Acceptance Date: _____

ZALUZYNY EXCAVATING CORPORATION

230 Fort Bridgman Road
 VERNON, VERMONT 05354
 (802) 254-5758 • Fax (802) 254-0080

10/14/21
 9:01 AM

PROPOSAL SUBMITTED TO Town of Wilmington		PHONE 464-8591	DATE 10/14/21
STREET PO Box 217		JOB NAME winter sand 2021-2022	
CITY, STATE and ZIP CODE Wilmington, VT 05353		JOB LOCATION	
ARCHITECT	DATE OF PLANS		JOB PHONE

We hereby submit specifications and estimates for:

4,000+/- cubic yards of winter sand delivered to Haystack Road

Both sand and hauling \$24.75/CY

We Propose hereby to furnish material and labor — complete in accordance with above specifications, for the sum of:

Payment to be made as follows: _____ dollars (\$ _____).

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workman's Compensation insurance.

Authorized Signature _____

Note: This proposal may be withdrawn by us if not accepted within _____ days.

Acceptance of Proposal — The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date of Acceptance: _____

Signature _____

FY22 Municipal Resolution for Bylaw Modernization

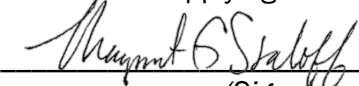
WHEREAS, the Municipality of _____ is applying for funding as provided for in the FY22 Budget Act 74 and may receive an award of funds under said provisions; and

WHEREAS, the Department of Housing and Community Development may offer a Grant Agreement to this Municipality for said funding; and

WHEREAS, the municipality is maintaining its efforts to provide local funds for municipal and regional planning purposes or that the municipality has voted at an annual or special meeting to provide local funds for municipal and regional planning purposes,

Now, THEREFORE, BE IT RESOLVED

- 1. That the Legislative Body of this Municipality enters into and agrees to the requirements and obligations of this grant program including a commitment to match funds in accordance with the program’s requirements;
- 2. That the Municipal Planning Commission recommends applying for said Grant;

_____ 
 (Name of Planning Commission Chair) (Signature)

- 3. That (Name) _____ Title _____

is hereby designated as the Grant Administrator, the person with the overall Administrative responsibility for the Bylaw Planning Grant program activities related to the application, and any subsequent Grant Agreement provisions.

- 4. If the grant application is successful, and funds are awarded, the following individual will be the signatory on behalf of the municipality:

Name: _____
 Title: _____
 Email: _____
 Phone: _____

Note: The signatory must either the Chief Executive Officer (CEO), as defined by 10 VSA §683(8), or is a Select Board Member, the Town Manager, the City Manager, or the Town Administrator, is hereby designated to execute the Grant Agreement and other such Documents as may be necessary to secure these funds.

Passed this _____ day of _____, _____.

- Check the box if the municipality authorizes its regional planning commission to serve as the ‘agent’ for the applicant municipality, or multi-town applicant municipalities, by assisting with the preparation of the application, supporting grant administration, and being exempt from competitive selection if serving as project consultant.
5. That the Municipal Legislative Body recommends applying for said Grant.

(Legislative Body Chair)

(Signature)

INSTRUCTIONS FOR RESOLUTION FORM

- A. The Legislative Body of the Municipality must adopt this resolution or one that will have the same effect. This Form may be filled in or the adopted Resolution may be issued on municipal letterhead, filling in the name of the municipality, the Legislative Body (e.g. Selectboard), and the name and title of the Grant Administrator and Municipal signatory.
- B. Following formal adoption, the Chair of the Planning Commission and Legislative Body must sign upon endorsement by vote of the Planning Commission and Legislative Body.
- C. This form must be submitted with the grant application.

CONSORTIUM APPLICATIONS: For a multi-town application, each municipality must complete a separate Resolution form. All municipalities in a consortium must designate the same Grant Administrator, and signatory from the primary grant municipality.

Requests For Funding Through the 1% Local Option Tax Fund

Name of Person/Organization/Business/Committee

Wilmington Planning Commission

Date of Request 10/19/2021

Contact person, phone numbers, mailing and email address

Meg Staloff, Planning Commission Chair (mstaloff@wilmingtonvermont.us)

Mike Tuller, Zoning Administrator (mtuller@wilmingtonvermont.us)

Amount of Request and Date Funding Needed

\$2,500 (10% forgivable match)

\$1,300 (additional match)

total potential match up to \$3,800.00

Describe in detail the purpose and specific use of the funding

The requested funding would be used to match a \$25,000 grant request for the Bylaw Modernization Grant Program. From the Program Overview:

"In fiscal year 2022 (July 1, 2021– June 30, 2022), the Vermont Department of Housing and Community Development (DHCD) has \$500,000 to grant to municipalities for land use, development, and zoning bylaw updates in support of a pedestrian-oriented development pattern that increase housing choice and affordability within smart growth areas and in accordance with Vermont's smart growth principles (24 V.S.A. §2791). This funding is intended to help communities confront the State's housing shortage and ready areas for new housing investments."

Please provide a financial breakdown of your project/request.

Total Project Cost: \$28,800 (see attached budget)

Funding sought: \$25,000

Forgivable Match portion \$2,500* (should bylaw be enacted by 1/31/2024 this portion is forgivable)

Additional Match: \$1,300

Briefly describe the need for the funding and any other information that can support the application.

Grant funding would be used to evaluate our existing zoning code as it pertains to the development of housing in and around our designated downtown (the current Village District including Design Review and Historic overlays), and propose amendments to ensure that the code is more amenable to development of additional housing within the current Village and sewered portions of the current Commercial/Residential district. Potential areas for improvement would be prioritized, including revision of Permitted vs Conditional Uses pertaining to multi-family dwellings, examination of where density limits could be modified to accommodate desired housing development outcomes, and other possible changes determined. Analysis would be carried out with the goal of adding clarity to the code overall, while making changes that would allow the creation additional housing units within the area immediately adjacent to the Designated Downtown, and potentially determining an area or areas that could potentially be designated as a Neighborhood Development Area.



10/12/2021

Signature of Applicant

Date

Wilmington Bylaw Modernization Grant Application - Task Description	Quantity - hours	Material Cost - mileage or other	Labor Cost hourly rate
Public Engagement - 3 Public Meetings & Engagement Event (attendance and preparation)	60	\$850.00	\$85.00
Steering Committee Kickoff Meeting (organize steering committee & develop schedule)	20	\$22.40	\$85.00
Review Existing Regulations & Research Potential Solutions	35		\$85.00
Facilitated Discussion with Steering Committee (2 Meetings) (attendance and preparation)	30	\$44.80	\$85.00
Draft Bylaw Changes with Steering Committee Input (includes revisions)	50		\$85.00
Mapping (proposed zone changes)	20		\$85.00
Finalize Bylaw Changes with Steering Committee Input	35		\$85.00
Public Hearing (attendance and preparation)	15	\$275.00	\$85.00
Legal Review of Proposed Changes	15		\$180.00
Postcard Printing & Mailing Costs (3)	12	\$1,300.00	\$85.00
TOTAL			

NOTES

WRC flat rate = \$85/hour

Mileage @ \$0.56/mile (\$22.4/meeting)

Included 3 Postcard Mailings - one at beginning, midway and at end of project

Public Meetings - 1) Gathering community input on housing and bylaws; 2) Present potential bylaw changes to promote housing & get feedback; 3) Present Final Proposed Changes (develop presentations & present at all meetings) & Engage community at an existing public event such as the block party

Public Meeting support - child care vouchers and food - est. \$250/meeting

Public Hearing to adopt proposed bylaw changes.

Total Cost

\$5,950.00

\$1,722.40

\$2,975.00

\$2,594.80

\$4,250.00

\$1,700.00

\$2,975.00

\$1,550.00

\$2,700.00

\$2,320.00

\$28,737.20