

Wilmington Selectboard Meeting Minutes
September 20, 2022

Present: Tom Fitzgerald, John Gannon (6:48 PM), Sarah Fisher, Tony Tribuno **Absent:** Vince Rice
Others Present: Scott Tucker, Jessica DeFrancesco, Matt Murano, John Lazelle, Jessica Roberts, Marshall Dix, Stacey Trudo, Chris Walling, Mike Garber, Gretchen Havreluk, Carolyn Palmer, Eugene Olanyk, Monique Johnson, Diane and Lenny Chapman, John Lebron, John Lazelle, Allison Maynard, Jessica Lee Smith, Sharon Adams, Brian Holt, Shellie Rosan.

Meeting called to order at 6:00 pm

1. Zoning Public Hearing

- Clarification on Article V, Section 531, outdoor dining
- Public Art encouragement; separated from signs.
- Sign sizes for public events increased because so many were going to the DRB for basic small signs.

Hearing closed at 6:12 pm

2. Visitors, Public Comments, Possible Changes to the Agenda

- Sharon Adams commented that Air B&Bs are keeping them busy and hope the Board passes over registrations and the like for Air B&Bs. Her sons have lost months of rent from a long-term renter not paying rent, and damages from no oil for heat in buildings.
- Introduction of Zoning Administrator Jessica Roberts.

3. Approve Minutes of August 16 and September 9, 2022

- Tribuno moved to approve minutes of August 16, 2022, Fisher second; all in favor (3-0)
- Tribuno moved to approve the minutes of September 9, 2022, Gannon second; 3-0, Fisher abstained.

4. Action Items

- Fitzgerald moved to appoint Erik King to the Planning Commission for the remainder of a 4-year term expiring 2025, Fisher second; all in favor (3-0).
- Wilmington Works is requesting office space at town hall. It would be a good partnership with Gretchen moving downstairs, also. Any maintenance and updating of the space will be up to Wilmington Works.
- Fitzgerald moved to accept, with regret, the resignation of Shelly Suponski from the Library Board of Trustees, Fisher second; all in favor (3-0).
- Tribuno moved to appoint Monique Johnson to the Library Board of Trustees until the next election, Fisher second; all in favor (3-0).

5. Zoning Ordinance

- Fitzgerald moved to approve Zoning Articles V, VII, VIII and X as submitted, Fisher second; all in favor (3-0).

6. Highway Dept

- The product Peckham supplies is a processed stone, not a sand. It is less visible when put on the road, but it does give good traction. It also doesn't freeze in the sand pile. It is

significantly cheaper than the other bid. Tribuno moved to approve the sand bid from Peckham at \$18.60/cy, Fisher second; all in favor (3-0).

- The RFP for sidewalk plowing went out a few months ago, and no bids were received. Furlon has agreed to do day-time removal this year. Another contractor has reached out and said he would do both, but we haven't received his bid yet. If no night-time contractor is found, the burden will fall onto the highway crew, which means more equipment and overtime. The Board would like to see the incoming bid before making a decision.

7. Fidium Fiber

- Stacey Trudo, Fidium Fiber GM in Vermont. The fiber build-out was completed in August. You can check your availability at www.fidium.com. They are working with CUD's in Vermont when creating their build-outs.

Fitzgerald moved to enter into Sewer Commission at 7:01 pm, Fisher second; all in favor.

8. Sewer Allocation

- Gannon moved to approve final allocation for a daycare at 92 Fairview Ave, for 60 gpd, Fisher second; all in favor.
- Tribuno moved to approve preliminary allocation for 24 bedrooms and 10 apartments at 211 VT RT 9 for 3,360 gpd, Fisher second; all in favor.

Out of Sewer Commission at 7:08 pm

9. ARPA Request

- The same request was sent to the Whitingham Selectboard. The field is used for visitors very frequently, not just for school kids. TVYS has been renovating the field over the last few years on their own. A request was made for money to be budgeted toward this project in the school's budget for 2023. They have fundraised \$60,000 toward the \$150,000 renovation. The request can be put on the ARPA project list for consideration. Another issue would be the legality of the town improving school property.

10. Stump Jumpers

- Gannon moved to approve the annual request by the Deerfield Valley Stump Jumpers for use of town road for snowmobile access, Tribuno second; all in favor.
- The DVSJ is looking at a new route near Haynes Rd. This requires surveying a piece of town land. The club will assume all costs of surveying the land for their needs. Fitzgerald cautioned that approval of this request does not guarantee approval of use. The state would need to be involved because of the wetlands that would require a bridge. Gannon moved to approve the request made by DVSJ to survey a town parcel located off of Higley Hill Rd, Fisher second; all in favor.

11. Nuisance Ordinance

- The Board discussed the consideration of a noise ordinance and a sub-committee. Fisher and Gannon volunteered, and will include Chief Murano. Their first meeting will be on 9/28/22 at 6:00 p.m., via zoom.

Fitzgerald moved to enter into Liquor Commission at 7:38 pm, Tribuno second; all in favor.

12. Liquor Licenses

- Tribuno moved to approve an Open Container Ordinance Exemption and Museum Malt Beverage Serving Permit for VT Distillers, Vermont Museum of Natural History Inc for an event at Memorial Hall on October 23, 2022; and

- An Open Container Ordinance Exemption and a Request to Cater Permit for La Casita for an event at Memorial Hall on October 22, 2022.
- A First- and Second- Class License application for Valley Craft Ales LLC at 18 North Main St.
- A Request to Cater application from Jezebel's Restaurant & Catering for an event at Adams Farm on September 25, 2022 from 12-6 pm, Gannon second; all in favor.

Out of Liquor Commission at 7:40 pm

13. Other Business

14. Select Board Members Comments

- Gannon stated that grant approval for dispatch in the legislature has been delayed.

15. Town Manager's Updates

- All non-911 calls, that are currently answered by state police after hours, will be dumped into a voicemail system back at the local PD as of October 1st. It could be many hours before that call is received with no dispatch in the office after 5 pm. Chief has been inquiring about instruction being given to DPS dispatch about what is an emergency and non-emergency call, and none seems to be happening. This could cause small issues to become larger issues. Looking at creating a hybrid night-dispatch coverage with Dover, as a possibility.
- E-Court Mediation- Look Rd team has added another attorney and have submitted a request for information.
- Schlatka case is being dismissed without prejudice; and we are still waiting for a determination on the Lane case.
- Participated in a VOSHA informal conference. There were 6 violations and VOSHA is willing to reduce the penalty by 50%, bringing it down to \$16,857. 50.
- E Main sidewalk should be going out to bid this winter, with an extension for completion to December 2025.

16. Executive Session

- Fitzgerald moved to find that premature general public knowledge of the real estate proposal would put the town at a substantial disadvantage, Tribuno second; all in favor.
- Fitzgerald moved to enter into executive session at 8:10 pm, to include the Town Manager, to discuss the possible sale of town owned property, Gannon second; all in favor.

Out of executive session at 8:28 pm

Meeting adjourned at 8:29 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