

## Wilmington Selectboard Meeting Minutes June 13, 2024

**Present:** Tom Fitzgerald, John Gannon, Sarah Fisher, Tony Tribuno **Absent:** Vince Rice

**Others Present:** Scott Tucker, Jessica DeFrancesco, Marshall Dix, Matthew Murano, Jeff Longe, John Lazelle, Wayne Elliott, Jim Carroll, Samantha Kondracki, Bethaney LaClair, Charlie Foster, Chris Lavoy, Gretchen Havreluk, Therese Lounsbury, Chris Mays

Meeting called to order at 8:15 am

1. Visitors, Public Comment, Changes to agenda
  - Economic Development Consultant Renewal
2. The Selectboard to discuss the Route 9 Water/Sewer Expansion Project
  - Short-term recommendations: collect samples over the summer to simulate the low demand conditions and determine if other measures may be needed; experiment with operating one vs two cells in the current storage reservoir; reduce pipe size from Rt 100 to Ballou Hill with a flushing hydrant; initiate a study to identify potential groundwater sources. Current sampling is happening at the reservoir each day and bacteria sampling is monthly from different access points in town. Lavoy thinks that once there is development on the new connections, a new water source will be needed and the water rents will not cover the costs. He feels drilling a well is a better alternative. Lazelle commented that the Fire Dept is hoping to see the pipe size remain large enough for fire protection. Gannon would like to see a joint memo from all departments showing a mutual agreement and stating the difference of opinions.
3. 1% Local Option Tax Fund
  - The request is for an additional message board sign to alert traffic during higher pedestrian times; block parties, strolls, etc. This would be in addition to the one that Highway already owns and use during these times. Highway would also be able to use it during big construction projects. Tribuno moved to approve the purchase of a message board sign in the amount of \$17,580 from the 1% fund, Fisher second; all in favor.

Entered Sewer Commission at 9:07 am

4. Wastewater Truck
  - Gannon moved to approve the purchase of a 2024 Dodge 3500 from Keene Chrysler in the amount of \$84,400, Tribuno second; all in favor.

Out of Sewer Commission at 9:10 am

Entered Liquor Commission at 9:11 am

5. Liquor Commission
  - Fitzgerald moved to approve a Manufacturer Special Event Permit for Golden Rule Brew for an event at ArtHouse on June 28<sup>th</sup> from 4-7 pm, Tribuno second; all in favor.

Out of Liquor Commission at 9:12 am

6. Highway
  - Peckham was awarded the Shearer Hill project last year, but is unable to perform the work for various reasons. The paving project is an oil and stone mix, not true pavement. Tribuno moved to approve an additional \$27,653.62 to improve Shearer Hill with All State Construction, Gannon second; 3-0, Fisher abstained.

- Highway truck rebuild project is changing the vendor to Reed Truck Services for the mechanical work. Rose Ledge lost some of their work force and is unable to do the entire job, but will still do the body work; general consent.

7. Other business

- General consent to authorize the town manager to execute the Economic Development Consultant's contract renewal.

8. Executive Session

- Fitzgerald moved to find that premature general public knowledge of the discussions with the Town's counsel involving confidential attorney client communications concerning pending litigation involving the Town and to consider a settlement agreement in the matter of Teitlebaum v Town of Wilmington, et al would clearly place the Town at a substantial disadvantage, Tribuno second; all in favor
- Fitzgerald moved to enter into executive session at 9:29 a.m. under 1 VSA 313 (a)(1)(E) and (F), to discuss a settlement agreement with Attorney Carroll and Town Manager Tucker, Tribuno second; all in favor.

Out of executive session at 10:02 am

- Fitzgerald moved that the Selectboard hereby ratify and approve the Comprehensive Settlement Terms dated June 11, 2024 reached through Early Neutral Evaluation (an alternate dispute resolution) in the Teitelbaum v Town of Wilmington, Case No: 2:23-CV-88, US District Court for the District of Vermont, subject to final approval of all settlement documents by the Town's appointed counsel and that the Town appoint James Carroll, Esq as agent for the town to take all steps necessary to effectuate the settlement as stated in the Settlement Terms, Tribuno second; all in favor.

Meeting adjourned at 10:03 am

Respectfully Submitted,  
Jessica DeFrancesco

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