

**TOWN OF IRVINGTON, VIRGINIA**

**TOWN COUNCIL SPECIAL CALLED MEETING**

**IRVINGTON BAPTIST CHURCH**

**THURSDAY, NOVEMBER 18, 2021, 6:30 p.m.**

**AGENDA**

1. **CALL TO ORDER**

Frances Westbrook: Good evening, everyone, thanks for joining us. This is 6:31 on Thursday, November 18, 2021. This is the Irvington Town Council Special Called Meeting in lieu of our regular monthly meeting that was postponed last week until this Thursday. If I might have a roll call.

1. **ROLL CALL**

Chris Braly, present.

Dudley Patteson, present.

Anthony Marchetti, present.

Frances Westbrook, present.

Bonnie Schaschek, present.

Wayne Nunnally, present.

1. **APPROVE AGENDA**

Frances Westbrook: The Agenda is before you, may I have a motion to approve the Agenda?

Wayne Nunnally: So, moved.

Bonnie Schaschek: Second.

Frances Westbrook: All in favor?

Group: Aye.

Frances Westbrook: All opposed? Motion passes.

**VOTE**

Chris Braly, aye.

Dudley Patteson, aye.

Anthony Marchetti, aye.

Bonnie Schaschek, aye.

Wayne Nunnally, aye.

Jackie Brown, aye.

Frances Westbrook: Motion passes

**Motion *(Wayne Nunnally)* to Approve Agenda – Motion passes 6-0.**

1. **Approval of Minutes**

Frances Westbrook: Approval of minutes. You have two sets, which you all received probably a couple of weeks ago or so, October 14th, Special Called Meeting which is a workshop for Budget & Finance and October 14th, our Regular Town Council Monthly Meeting. Do you want to take them separately or together?

Bonnie Schaschek: Take them together.

Frances Westbrook: Together, okay, any comments, corrections. Alright, hearing none, motion to accept these two minutes.

Wayne Nunnally: So, moved.

Chris Braly: Second.

Frances Westbrook: All in favor?

Group: Aye.

Frances Westbrook: All opposed?

Chris Braly: I’m going to abstain. I missed the meeting. I’m going to abstain.

Frances Westbrook: Okay we have one abstain, which is Chris Braly, other members present voted yes.

**Motion (*Wayne Nunnally)* To Approve Minutes – Motion passes 5-1-0.**

1. **FINANCIAL REPORT**

Frances Westbrook: Any comments? Yes sir.

Dudley Patteson: I would like to suggest that future financial reports have the prior year results next to them. You can do that in Quick Books. In other words it gives us a perspective of how we are doing in a particular quarter, or particular month.

Frances Westbrook: Uh, yes we can.

Dudley Patteson: It’s easily done. It’s like a couple of buttons and that tells us whether our revenues are higher or lower.

Frances Westbrook: No, we used to….

Bonnie Schaschek: We used to do that. These aren’t our standard reports.

Dudley Patteson: These aren’t Quick Book Reports?

Frances Westbrook: They are Quick Book Reports.

Bonnie Schaschek: But they are not what we used to get.

Frances Westbrook: They are configured differently since Jay has been doing them, but we can talk to him about that.

Dudley Patteson: Can you talk to him about that because any financial manager is going to sit there and say, well, how are we doing this year versus…

Bonnie Schaschek: That is when you keep your own spread sheet so you know what….

Frances Westbrook: That’s what she does.

Bonnie Schaschek: That’s what I do.

Frances Westbrook: Well at one time we used to have a year-to-date next to the monthly figures.

Dudley Patteson: That’s also helpful, but, it is easily expandable.

Bonnie Schaschek: I think we just need to talk to him and tell him what we are looking for.

Dudley Patteson: That would be great.

Frances Westbrook: So, you are looking at the previous year versus year-to-date.

Bonnie Schaschek: Budget versus actual.

Wayne Nunnally: You can talk to him about it.

Bonnie Schaschek: Me?

Frances Westbrook: Alright.

Dudley Patteson: Who’s going to do it? Are you going to do it?

Chris Braly: Well Budget & Finance can take it on, just let us know exactly what you want to see.

Anthony Marchetti: Jay is not going to care as long as we tell him what we want to see.

Frances Westbrook: Alright, so Budget & Finance is going to take care of that? Budget & Finance, okay. A motion to accept these as presented.

Dudley Patteson: So, moved.

Chris Braly: Second.

Frances Westbrook: All in favor?

Group: Aye.

Frances Westbrook: All opposed? Alright financial reports are accepted as presented.

**Motion (*Dudley Patteson)* To Approve Financial Reports – Motion passes 6-0.**

Frances Westbrook: We will move to the part of the agenda now ladies and gentlemen where Public Comment can be made. If you will give me a show of hands, I’ll be glad to call on you.

1. **PUBLIC COMMENT**

Frances Westbrook: Mary Cay you know the routine.

Mary Cay Bradley: Mary Cay Bradley, President of the Board of Directors for the Steamboat Era Museum, 156 King Carter. The Board of Directors met last night, or Tuesday night and in response to that, we had quite a bit of crowd. We have a letter in support of you all using your ARPA Funds to conduct a study regarding the sewer and we just wanted to share with you all that we as a Board of Directors of the Museum support that endeavor and our vision statement says you know, the water is our greatest asset and we should be good stewards of it and we think that conducting the study is an appropriate use of ARA Funds and we hope that you Mayor Westbrook on your way out of the door and Julie Harris on the way in the door will support this effort. Thank you.

Frances Westbrook: Thank you Cay. Any other comments? Alright, we will move onto the next item, report from the Mayor.

1. **REPORT FROM THE MAYOR, *Frances Westbrook***

Frances Westbrook: I want to say that the flag was flown at half-staff today, I don’t know if you all noticed, but it was ordered by the Governor in honor of the policeman who was killed in Big Stone Gap a couple of days ago. So, hopefully on my way home I’ll remember to raise it back to full staff which is what we were told to do so. There’s, and I thank Dudley for running over there first thing this morning and lowering it. I hadn’t gotten out of my pajamas yet when I texted you so, I’m very appreciative. The Christmas Tree is going to be decorated I believe this Friday, day after Thanksgiving Day, Arrowhead has just about if not completed, just about through cleaning the streets, so we are looking good for the big event taking place down at The Tide’s Inn this weekend as well as Turkey Trot Thanksgiving, so good thanks to Arrowhead. I was in the office a couple of days ago when Laurel had a phone call from Dominion and I got engaged on that phone call and they were in town here recently replacing a couple of street light bulbs, now they are moving to LED’s, and the question was Town Council would we want 50 watt or 70 watt LED and the first thing out of my mouth was how much is it going to cost, and if we replace them as they burn out, it is considered maintenance, routine maintenance for Dominion so it is no charge. Now the 50 watt, we have 100 watt bulbs in there now. The 50 watts may be just a little bit dimmer looking light, 70 watt, these are daylight spectrum bulbs, so I told them initially that we would rather have the 70 watt particularly in the summertime when we have a lot of walkers at night, bikers, golf carts, so unless you guys want to do otherwise, we’ll do that and our other option was considering having them replaced all at one time which then it is not a maintenance issue and the labor to do that can be pretty pricey. I’m happy with them replacing them as they burn out, what’s your pleasure?

Bonnie Schaschek: I would say as they burn out. They burn out regularly.

Anthony Marchetti: Replace them once they burn out…lag time…..

Frances Westbrook: I did not ask that question. Lag time…

Anthony Marchetti: ….I just mean if we call them and say one’s out is it a 2 to 4 week or….

Frances Westbrook: They keep these on their truck, now….

Anthony Marchetti: I just say if we have four or five lights out, will it be a long time to get them….

Frances Westbrook: No, if we went to, well they have a, if one of the 100 watt high pressure sodium’s go out, we have a couple of high pressure sodium’s, we have a couple of the mercury, both of those are 100 watts but they are being closed as opposed to the open that most of ours are. These are being phased out if possible, if they have to order some we might have some lag time, a couple of weeks maybe getting it in, but since we are going to go to the LED that should be an onsite order.

Dudley Patteson: As long as you don’t mind them matching. The color won’t match, but…

Frances Westbrook: They won’t until they finally get them all replaced, but they don’t match right now anyway.

Bonnie Schaschek: They don’t match now either.

Frances Westbrook: Yeah, so, I don’t know how many of us notice that but at any rate, we do have his name, Laurel has his name and cell phone number should we need to call him for anything else. We’ve also, Laurel was able to speak with a gentleman that deals with the church here with microphones and speakers and to have microphones for us and an amplifier he says it would be somewhere between $7,000 and $8,000. Now I’m bringing this up because we had talked about using some of the CARES Act funds perhaps to pay for this. The microphones we would take with us. If we built a Town Hall or we had other places we meet, the microphones go with us. Depending on how, if the church will allow us to mount an amplifier, I think he suggested possibly ceiling mounted, not knowing what’s up there, he couldn’t say much more than that. That might would have to be a permanent deal. So, I’d like to talk to him or have him give us a written quote maybe what he thinks an exact cost would be if that’s what you guys would want to have done.

Wayne Nunnally: Can we use that A what do you call it money?

Bonnie Schaschek: We going to use the COVID funds.

Wayne Nunnally: The COVID funds.

Frances Westbrook: COVID yeah, CARES Act COVID funds.

Wayne Nunnally: I think we ought to at least see what it costs then.

Frances Westbrook: Well hopefully if we get this done and can get a cost back in December….

Dudley Patteson: Does the amplifier need to be permanent?

Frances Westbrook: I don’t know that it needs to be, but I don’t know that he knows what’s up there as far as wiring, if it had to be something.

Anthony Marchetti: Bluetooth or WIFI with speakers that would be more of a portable.

Frances Westbrook: And not have the amplifier.

Chris Braly: It just depends what the system requires, if the plan was to tap into these speakers, through the ceiling….

Frances Westbrook: I don’t think the plan, the plan was to have, my understanding the plan was not to tap into these speakers.

Anthony Marchetti: I don’t know why it would have to be fixed.

Chris Braly: Yeah, we wouldn’t need a fixed amplifier.

Frances Westbrook: Okay.

Dudley Patteson: No, amplifiers are typically portable and..

Frances Westbrook: Are you hearing all this too?

Laurel Taylor: I can catch some of it.

Frances Westbrook: Okay, we’ll talk and we’ll see what we can get in writing and see if there are some options here, but, we don’t have much longer, we have until February on the CARES.

Dudley Patteson: No.

Anthony Marchetti: December 31.

Frances Westbrook: What’s happening in February with funds?

Anthony Marchetti: You are thinking of the VTC Grants.

Frances Westbrook: Yes. Thank you.

Anthony Marchetti: Have to be submitted by the end of February.

Frances Westbrook: That’s right, thank you. Okay, so we will get on that Laurel first thing Monday morning. Okay. That is the extent of my report.

1. **REPORT FROM LEGAL, *Sands Anderson***

Frances Westbrook: The next report is legal, they are not with us tonight. We changed our meeting and Mr. McGregor is out of town and Ms. Seay has a standing third Thursday of the month engagement.

Chris Braly: Are they under contract? Did the contract get signed?

Frances Westbrook: Yes. You have a copy of the contract in your packet so that you’ll know.

Chris Braly: Are they not going to be responsive to us changing our schedules?

Frances Westbrook: Ordinarily it would not have been an issue, but it is my understanding that McGregor had a speaking engagement tonight.

Chris Braly: McRoberts?

Frances Westbrook: McRoberts, I beg your pardon.

Chris Braly: I mean it’s….

Frances Westbrook: They’ll be here starting in, meeting wise, they’ll be here starting in December.

Chris Braly: Okay.

Frances Westbrook: Okay.

Chris Braly: Because that wasn’t what the Town Council voted on. The Town Council voted on having a Town Attorney present.

Frances Westbrook: I understand that and we, we voted on that….

Bonnie Schaschek: In a special meeting a week ago….

Frances Westbrook: ….in a special meeting, that’s correct and you know they’ve had a couple of weeks’ notice to get that in….

Chris Braly: No, to develop the job description….

Frances Westbrook: Yeah….

Chris Braly: That we decided that we would have a Town Attorney present and when we met to vote, to hire this firm or not, it was indicated that if the two people who would be our primary representation were not available that someone would be here and someone is not here.

Frances Westbrook: And someone is not here.

Chris Braly: And that is, is not acceptable in my opinion.

Frances Westbrook: Okay, I’ll be glad to relay that to them.

1. **REPORT FROM ZONING ADMINISTRATOR, *Justin Nelson***

Justin Nelson: Yes, we’ve had one permit from Mr. Pollard who is getting on his construction project per his Conditional Use Permit. The second reading is postponed now until December. I spoke with the buyers per a request from citizens about the purchase of the Old Dog & Oyster and what their plans might be and specifically maintenance going on out there, so I am expecting to meet with them in person at the property within the month. Mr. Fisher and I have met and he has dropped off receipts as a few they are, things now coming out of the pit and the lunar eclipse is 4:00 a.m. this morning.

Chris Braly: You mentioned the CUP is pulled to December, do you have any, the second reading of the CUP, do you have any additional information to share with Council.

Justin Nelson: I accumulated the last piece that I think I needed this morning.

Chris Braly: Okay.

Justin Nelson: So that should be coming out in an email to all parties very, very soon.

Chris Braly: And then, have you, were you able to schedule that meeting between Bayt Design and the landowner.

Justin Nelson: Not yet, I’m waiting for him to get back and we need an invoice from him to get that authorized or I’m sorry dispersed. So, he is on vacation until Monday, so I will get with him on Monday. The homeowners are ready to begin anytime.

Chris Braly: So, I don’t know if everyone remembers but, there were when Bay Design came in July, there were four items that Lara had highlighted that we needed to resolve for Bay Design to finish the North Commons Development, or the site plan for the North Commons, and, at that meeting we resolved three of the four, but one of the items was we needed to reach out to the landowner and see if they were agreeable to the Town having access to run the drainage through their property so Justin has been working to coordinate that meeting.

Justin Nelson: I’ve already met with them.

Chris Braly: He’s already met with the landowner, but he is working to coordinate the meeting between Bay Design and the landowners so Bay Design can specifically kind of tell them what they need. A result of that meeting will require probably the Town to enter into some formal agreement with the landowner through the County giving us access….

Frances Westbrook: Or easement….

Chris Braly: …or easement or something. We are also going to need to appropriate additional funds for the Bay Design contract. In that meeting there were additional funds that could be required that we, we voted to move forward with the plan, but we never appropriated the money. One of the costs was like the abandoned well permits that we needed to get to do something with. One was a permit or something through DEQ, and then one was the work required assuming the landowner would allow us the easement. So, there was no reason to appropriate that because if the landowner didn’t want to do it, then we would, then Bay Design would have had to come up with something else.

Bonnie Schaschek: But, why are we getting permits to do anything with the wells right now if we haven’t even decided if we are putting this structure there.

Frances Westbrook: We’re not, we….

Chris Braly: Well, it was my understanding that the, what Bay Design needed was us to either approve what their proposal was, but then with that proposal that Lara had there were additional funds required, and so, what I was hoping to do is once Justin coordinated the meeting between Bay Design and the landowner have everything worked out, have Bay Design come back and give us an exact idea of what the additional costs are going to be….

Bonnie Schaschek: What the costs are going to be….

Chris Braly: …there is no point for them to do it now if the landowner didn’t want us to do that so, Bay Design, hopefully we can get it done before the December meeting and have Bay Design come back in December to tell us what the cost would be….

Frances Westbrook: Well they typically bill us for work they’ve done, so are you suggesting that we have to pay in advance.

Chris Braly: Well, this was listed as an additional service that was required based on…

Frances Westbrook: They haven’t performed the service yet either for reasons you just stated and but once the work is done and they invoice us, that is when we typically appropriate or pay the bill.

Chris Braly: Okay, okay, I thought we by entering into the contract, I assumed that the contract was appropriated so….

Wayne Nunnally: Do we have a committee that….

Frances Westbrook: It is just extra fees….

Wayne Nunnally: ….doing this project….

Chris Braly: No, I’m just following, I’m just following up from, the problem was that at the time that Bay Design came it was….

Wayne Nunnally: …another point I was making, I don’t mind you doing it, but it really is a Facilities and Streets….

Frances Westbrook: Actually it is zoning….

Wayne Nunnally: So….

Frances Westbrook: ….actually it is a zoning issue.

Chris Braly: And there was the transition between Lara and Justin….

Frances Westbrook: Right.

Chris Braly: …and I think that fell through the crack and I was just worried….

Frances Westbrook: If there were extra fees beyond what we already signed with on the contract then, we need to discuss that, they need to give us the detail on that….

Chris Braly: Right.

Frances Westbrook: …so we can decide, yes, we want to go through with it, but here again, we wouldn’t appropriate anything until they have performed….

Chris Braly: Gotcha, okay.

Frances Westbrook: …then we would appropriate for the…

Chris Braly: …gotcha, per the invoice.

Frances Westbrook: Right.

Chris Braly: Okay.

Frances Westbrook: Okay. Justin anything else from you?

Justin Nelson: No ma’am.

Frances Westbrook: Any other questions?

Dudley Patteson: A couple of things, one thing, referring back to the transition between Lara and Justin….

Frances Westbrook: Uh huh.

Dudley Patteson: ….what do we know about the pink house, that was something that needed to be….

Frances Westbrook: The what house?

Dudley Patteson: The pink house, the CUP that was approved, about plumbing and electric and….

Frances Westbrook: No, I think there was plumbing and electric….

Justin Nelson: There is no effort whatsoever to finish the upstairs floors….

Dudley Patteson: Did they comply with the CUP as approved?

Justin Nelson: Yes.

Dudley Patteson: Okay.

Frances Westbrook: That’s my understanding.

Dudley Patteson: Okay.

Frances Westbrook: Okay. Anything else? Alright, thank you Justin. Committee reports up first, Budget & Finance, Anthony.

1. **COMMITTEE REPORTS**

* Budget & Finance Report, Anthony Marchetti, Chair

Anthony Marchetti: I guess we are doing the first reading of the amended budget. I just wanted to note that there were a few changes from what was put forth at the Public Hearing and most of that had to do with just after that meeting, after the closed session, a vote was passed to hire Sands Anderson, so, most notable adjustment if you will, will be under Professional Services, and that was to account for the hiring of Sands Anderson. I did go back and look at money that we had spent year-to-date on Legal Professional Services and then projected how much we would need moving forward and that’s where that new number I came up with. Then, let’s see, under Capital Budget I was advised by Jay Sanudo our Treasurer, that unless it was a very rare special circumstance he didn’t see where sidewalk repair would be an allowable ARPA Funds use, so I just, it is still in the Capital budget, I just pulled it out from under the ARPA….

Frances Westbrook: Umbrella….

Anthony Marchetti: …umbrella, yeah, so it is still there it is just you know, say if we were building a new hospital then maybe we could claim the sidewalk in front of it was part of it, but….

Frances Westbrook: Okay.

Anthony Marchetti: Just following his guidance there on that one. I just wanted to note the few changes from what the folks saw at the Public Hearing to the first reading.

Frances Westbrook: Alright, and since this is first reading, would you just go over the items that are changing in this amended budget just highlight them.

Anthony Marchetti: It’s just Professional Services was the only dollar amount change.

Frances Westbrook: Okay.

Anthony Marchetti: Public Safety and Code Enforcement is all living under Public Safety and Code Enforcement for White Stone, the number didn’t change we just moved, remember it was under Charitable Donations?

Frances Westbrook: Right.

Anthony Marchetti: And that’s it. Capital Budget and that number didn’t change, just the sidewalk repair was pulled out from ARPA.

Wayne Nunnally: Thank you for all your hard work.

Frances Westbrook: This is also, on our website correct?

Laurel Taylor: Yes.

Anthony Marchetti: Yes.

Frances Westbrook: As well as the proposed amended budget. Alright, next month in December we will have a second reading and possibly vote on this. Anything else from you?

Anthony Marchetti: That’s it, we got a line item, Agenda item for CARES Act later, so I’ll save the CARES Act for that.

Frances Westbrook: And….

Anthony Marchetti: Agenda item….

Frances Westbrook: …we do need to get on, where are we on getting the corrections to the financials that came out of the investigation?

Anthony Marchetti: Um, you want to touch on that.

Chris Braly: I was going to report at the CARES Act, but I can report now.

Frances Westbrook: Okay.

Chris Braly: Whatever you want.

Frances Westbrook: Either way.

Chris Braly: I’ll just wait until the CARES.

Frances Westbrook: Okay, that’s good, alright.

Anthony Marchetti: We should have what we need, Council approval, but we should be able to close our 2021.

Frances Westbrook: Jan….

Anthony Marchetti: 2021.

Frances Westbrook: Yes, and so you all will give us a spreadsheet for lack of a better word showing us all those, good, okay thank you. Okay, next HR Committee Dudley do you have a report for us tonight?

* H.R. Committee, *Dudley Patteson, Chair*

Dudley Patteson: Finally, no report other than we will be discussing some things in closed session.

Frances Westbrook: Yes. Alright, thank you. Mr. Nunnally, Facilities, Streets and Sidewalks.

* Facilities, Streets, and Sidewalks Committee, Wayne Nunnally, Chair.

Wayne Nunnally: Over a couple of meetings back Dudley gave us a lecture on anything having to do with his committee should it come through his committee so, I would appreciate it if anything with facilities and streets and what have you that you are not overly concerned about you let the chair of that committee know. To bring you up to date on the sidewalk issue, I have finally managed to get a colored thing of what we own and what they own, I believe.

Frances Westbrook: What we own and what VDOT?

Wayne Nunnally: Yeah, I’m still waiting on one confirmation letter that they will eventually get to me.

Frances Westbrook: I did run by this afternoon; I suspect that what you are looking for is on the computer and I did not go on the computer without Laurel there. You are looking for the….

Wayne Nunnally: …use that money for that, that was really all that we could.

Frances Westbrook: Yeah.

Wayne Nunnally: I have contacted one sidewalk contractor and he is to be getting up with me in the near future because I again was not absolutely certain of exactly what was ours, I think I am, but I want to be certain before we start contracting with that. Is there anything else I want to bring up at this time? I think that will do it at this particular moment in history for facilities.

Frances Westbrook: Alright, thank you sir.

Dudley Patteson: I would like….

Wayne Nunnally: There is one other thing, I’m sorry Dudley….

Dudley Patteson: After you.

Wayne Nunnally: Jason tells me, you know we have been waiting on this survey that the VDOT was supposed to give us, we have talked about that and talked about it and what it is going to be, it has been done and Jason tells me it is in the office along with several recommendations and he’ll be getting that to me this week and we will be able to discuss those alternatives.

Frances Westbrook: Is this the survey they did for the traffic study?

Wayne Nunnally: Yeah.

Frances Westbrook: Is that the results of that, okay.

Dudley Patteson: My only comment is, I would ask the committee that they look at the bigger picture of what grants are out there for streets safe programs, obviously White Stone and Kilmarnock have benefitted from refreshes and it seems to me that sidewalks would be a standard use of funds to improve the Town and the streetscapes of it.

Wayne Nunnally: Yeah, I proposed a couple to VDOT, Dudley. One of the things that I found fascinating was in some of the more advanced countries, they are using 3D crosswalks and if anybody wants to go online and plug in 3D crosswalks, you’ll be amazed that it controls traffic. They painted a Trump lawyer….

Dudley Patteson: Oh, yeah, yeah….

Wayne Nunnally: …on the street and it looks like a barricade or it looks like a manhole cover or something and you slow down when you see it. But, I haven’t been able to get that past them, but I will check for other grants.

Dudley Patteson: Virginia Tourism would have several that….

Wayne Nunnally: If you have a site, please share.

Dudley Patteson: I’ll be happy to.

Frances Westbrook: Okay, anything else, Mr. Nunnally?

Wayne Nunnally: That’s it, thank you Madam Chair.

Frances Westbrook: I thank you. Community & Special Events Committee, I know Anthony is there anything there to report on.

* Community & Special Events Committee, *Anthony Marchetti*

Anthony Marchetti: No report, I was just going to mention about the tree lighting, but you already took care of that so.

Frances Westbrook: Yeah, we’ll have to set a date for that and bring it forward probably at the December meeting.

Bonnie Schaschek: They are going to decorate it on Friday after Thanksgiving. Now last year he requested because there was like 10 or 12 of us there to give him a hand but he doesn’t need all that help this year….

Frances Westbrook: He doesn’t want any help.

Bonnie Schaschek: …somebody from the Council, is there going to be somebody there?

Frances Westbrook: I’m going to go by about 9:00, yep.

Bonnie Schaschek: Okay.

Frances Westbrook: I’m going to by about 9:00 in the morning. Mr. Braly, Select Committee to Implement Investigation Recommendations.

* Select Committee to Implement Investigation Recommendations, *Chris Braly, Chair.*

Chris Braly: Nothing to report.

Frances Westbrook: Okay, thank you. Planning Commission update Mr. Braly.

* Planning Commission Update, *Chris Braly, Liaison.*

Chris Braly: The Planning Commission will hold their regular monthly meeting on December 7th at the town office. At that meeting they will vote on the firm they would like to recommend to Town Council to conduct the survey and comprehensive plan update and, their plan is to then present their recommendation at the December 9th Town Council Meeting.

Frances Westbrook: Very good.

Chris Braly: Also the proposed changes to the CUP process that Mr. Chapman was working on have been, the recommendation has been voted on and I believe that those were sent to Sands Anderson for legal review.

Frances Westbrook: I handed those to Mr. McRoberts Tuesday.

Chris Braly: And they hope to make a recommendation at the December 9th meeting as well.

Frances Westbrook: Very good, very good.

Chris Braly: Is there anything else I forgot?

Female: No, the only other thing would be the Planning Commission wants to start a process in January.

Wayne Nunnally: Start what process?

Frances Westbrook: Survey….

Chris Braly: January.

Bonnie Schaschek: What time is the December 7th meeting?

Chris Braly: 6:30.

Bonnie Schaschek: Thank you.

Chris Braly: Again, December 7th, 6:30 at the town office. I believe the notice is already up on the website.

Laurel Taylor: Yes.

Frances Westbrook: That’s the regular meeting?

Chris Braly: Regular meeting.

Frances Westbrook: Your regular meeting time, date, okay. Alright moving onto old business.

1. **OLD BUSINESS**

* First Reading of proposed amended budget – FY 2021-22.

Frances Westbrook: First reading of the proposed amended budget that we just basically went through. If there aren’t any other questions, you pointed out the changes Anthony.

* Sands Anderson Contract, Frances Westbrook.

Frances Westbrook: The Sands Anderson contract, I just wanted Town Council to be aware of the fact that it was in your meeting packet. That has been signed, I have not given that to them until tonight.

Chris Braly: I was surprised to see that there wasn’t an hourly cap per month in the contract.

Frances Westbrook: It is, we had verbally agreed to 10 hours a month for the first few months and then it will be as needed. We are hoping it will go down a little bit after a few months. It is going to be some work and some training that he will be doing, a couple of little classes with the Planning Commission and Town Council, things of that nature so that will be a little bit of extra time there, but they have agreed when we are getting near that 10 hour mark they are going to let us know so that we can stay in control of that.

Chris Braly: I was also surprised they didn’t exclude the travel expenses in the agreement as well.

Frances Westbrook: They did exclude the travel expenses.

Chris Braly: I didn’t see it in the contract.

Frances Westbrook: Yeah, it’s there, I remember reading it.

Anthony Marchetti: They had it in the proposal….

Frances Westbrook: Is that where it was?

Anthony Marchetti: Almost 2-page contract that….

Frances Westbrook: They are not charging us travel because Mr. McRoberts lives here in Irvington and even if Mrs. Seay is the one who comes from Richmond to attend a meeting in his absence, they still will not charge us travel.

Chris Braly: Okay.

Frances Westbrook: Since he is the principal. Alright, then I will hand that contract over first thing in the morning. Ms. Keane do you have an update for us on…

* Fisher’s Pit update, Nancyellen Keane, Esq.

Nancyellen Keane: I have an activity report, just a brief one.

Frances Westbrook: Okay.

Nancyellen Keane: I had a number of conversations with the DEQ attorney who represents the, the Attorney’s General’s office representative for DEQ, sorry about that. As a result of those conversations the DEQ has performed a site inspection at Fisher’s Pit. I am waiting for a copy of that report, it still hasn’t come in yet. There has been some evidence provided that several loads of debris have been removed I think Justin referred to that. I think there are exactly three loads that have removed. Even though we have evidence of over 1,000. I had drafted correspondence notifying the property owners of the Town Council actions to declare the property a nuisance and to prohibit burning and several other matters and I tried to arrange with Justin for him to visit the site. He is supposed to be doing that soon, and I am awaiting the report from the Attorney General’s office in order to get their assessment of it. The rest of the report will be in the closed session.

Frances Westbrook: Thank you.

Wayne Nunnally: Is there more than one property owner down there that we are dealing with?

Nancyellen Keane: It is, it’s a Et al, it is, when you read who owns it, it’s a family member in New Jersey and it is several family members, it’s like four of them.

Wayne Nunnally: Thank you. When I spoke with Eric on that he told me just in passing, I happened to see him, he said it was under contract, they were selling it for whatever that’s worth.

Nancyellen Keane: That’s the other two parcels which are in the County.

Wayne Nunnally: Okay.

Frances Westbrook: Alright, thank you. Anthony CARES Act Fund.

* CARES Act Fund, Anthony Marchetti.

Anthony Marchetti: Alright, so Chris is actually going to lead this conversation and I’m actually going to recuse myself from this conversation, I just feel it is a possible conflict with my business.

Frances Westbrook: Okay.

Anthony Marchetti: I’m going to sit over here and let Chris give you all the updates.

Dudley Patteson: I also need to recuse myself….

Frances Westbrook: Recuse yourself…

Dudley Patteson: …for possible or not conflicts, future conflicts of interest.

Frances Westbrook: Thank you.

Chris Braly: So, Budget & Finance was able to get all of the information from our treasurer regarding what has been spent on and allocated to the CARES Act. The law stated that, the law was passed in July of 2020 stated that you could backdate any expenses up to 03/01, 03/01/2020. I spoke with Mr. Sanudo about getting expenditures, the law was passed 03/01, the funds were received in July.

Frances Westbrook: That’s right.

Chris Braly: So, you could go back to March 1st. I spoke with Mr. Sanudo about expenditures from March 1st, 2020 to June 30, 2020, he indicated that since we were under budget in that fiscal year that we would not be able to allocate expenses to CARES because the requirement for CARES was that the expenditure needed to be a nonbudgeted expense and we were under budget by quite a bit in fiscal year 2019/2020….

Frances Westbrook: Due to COVID.

Chris Braly: …he didn’t think we could justify using those funds for CARES, so….

Frances Westbrook: Interesting.

Chris Braly: …I did not look at any expenses from March 1, 2020, to June 30, 2020, and I left those alone. So then I had him send me the expenses that had been allocated from July 1, 2020 to June 30, 2021, as well as the general ledger for that time period. Currently allocated was $25,766.38, and that is what has currently been allocated. Now after reviewing what was allocated, I have additional copies for anyone who might, after reviewing what was already allocated, I believe that we need to remove $1,182.50. It was originally allocated to Bay Design Group and then Town Council voted that their work could not be CARES Act money could not be used, so we need to go and reverse that allocation. I also found $2,628.63 in qualifying expenses relating to the new town office and a zoom subscription. So, what our recommendation is for fiscal year 2020/2021 is to revise the total spent funds to $27,212.51 to reimburse the general operating account from the CARES account by that amount of money, date that June 30, 2021, the last day of the fiscal year and then reduce the CARES account and deferred CARES revenue by that same amount and then we can close our fiscal year 2020/2021. Then I had him send me the same information for fiscal year 2021/2022 and he sent it from July 1 to November 12th, that’s when he sent it. I believe there is $945.00 that were allocated that should be removed. It was an invoice for Mill Creek….

Frances Westbrook: Geek….

Chris Braly: ….Geek…

Frances Westbrook: Uh huh.

Chris Braly: …and I think the whole invoice was classified as CARES but only a portion related to the grant, the website part for the grant should be allocated….

Frances Westbrook: Okay.

Chris Braly: …so I think we need to remove that. There is nothing to add that was missed and so the revised spent should be $8,446.00 as of November 12th and so then I would propose to reimburse general operating account from the CARES account for that amount of money dating that November 12th and then reducing the CARES account and deferred CARES revenue by the same amount. That brings us from July 1, 2020 to November 12, 2021, a total amount spent of $35,658.51 out of a total possible $70,490.42. That means that we have $34,831.91 remaining to be spent by December 31st, and so I know that there was some interest in microphones possibly that had been discussed several times, but we’ve been going now so long without them, I don’t know if it would be worth using it or not, but my proposal would be to award grants to Irvington businesses to use up all the funds and my proposal would be to modify the terms of the first grant process basically allocating allowing Irvington businesses to apply and divvying up the money equally to all of the applications that we receive. I think that the businesses in Irvington did suffer during the pandemic, and I can’t think of a better way to use the money especially as the clock is ticking and about to run out.

Wayne Nunnally: You’ve obviously done a great job on this. Thank you for that, but what can we spend it on? Is there other items left that we can spend it on?

Bonnie Schaschek: They’re….

Chris Braly: Most of the CARES Act funds were specifically designed to deal with the immediate impacts of the pandemic so if we had a staff of 25 that we sent home and they weren’t being paid because they weren’t working, we could use the money to reimburse. If we had a police force that was on the front line and possibly being infected with COVID we could give them extra money. If we had a hospital or if we were hosting vaccine clinics or testing sites we could use the CARES money for that. We didn’t have anything like that.

Wayne Nunnally: Can we establish a police department.

Chris Braly: I don’t think you would be able to establish a police department with that much money.

Wayne Nunnally: Seed money is what I’m asking.

Chris Braly: So, it was really designed and we had minimal PPE that we bought, we did have a couple dividers in the office to help you know facilitate separation and that kind of stuff, so there was expenses, there were expenses that were not budgeted that qualified that we did use them obviously, but there’s a lot left and I think that at this time just awarding grants to businesses….

Frances Westbrook: Now we did…

Bonnie Schaschek: We already approved that once…

Frances Westbrook: Well yeah, but nothing has happened.

Bonnie Schaschek: Yeah, but nothing has happened. So, it has already been approved, nobody’s….

Chris Braly: Well, what we approved was up to $10,000, the same terms as the prior one and what I would like to do is change those terms to basically award the rest of the money equally to all people who apply. Now, we would need to change a couple of the documents that are posted on the web to change some language there. We would also want to advertise it extensively calling all of the Irvington businesses individually to ensure that that they know they can apply, but you know maybe running an ad in the paper and….

Bonnie Schaschek: Just post it at the post office. I wouldn’t run an ad in the paper.

Chris Braly: So, but, we would need to change the terms from what was approved. I did speak with Laurel today, we didn’t receive any new applications…..

Bonnie Schaschek: We haven’t.

Chris Braly: …and so, you know I think that we would receive applications if there was a huge effort to publicize it and you know contacting all of the businesses and let them know what the plan is.

Frances Westbrook: We can probably use the same application, it is very possible that…

Chris Braly: We would just need to change it….

Frances Westbrook: …door to door….

Chris Braly: …we would just need to change the language a little bit….

Frances Westbrook: That’s right.

Chris Braly: …and so I don’t, if it’s acceptable to everyone then you know I think that what the appropriate thing to do would be to make a motion to change what was already approved to the new terms and implement those immediately and then pick a deadline for when the applications have to be submitted by.

Wayne Nunnally: Are we making a motion?

Frances Westbrook: Hold on a minute, more discussion, Jackie?

Jackie Brown: I think this microphone thing shouldn’t be ignored. We can’t, I can’t hear a lot of public comments when somebody is talking from way over there, and I’m not talking an elaborate system, I’m not talking spending $30,000 on microphones but I think we need to get some kind of sound system in here so that we can all her each other better.

Frances Westbrook: And I think it’s important, we do have sometimes in the audience those that have difficulty hearing us and Jackie has from time-to-time had difficulty hearing everything that is said. I know Laurel has expressed the same thing. So, I like your idea but I would like for us to real quick see if we can’t get a cost factor and it doesn’t have to be anything elaborate and just back that out of this and that balance does exactly….

Chris Braly: So would it be appropriate then to back $8,000 out of this because the original estimate, you said the estimate was $7,000 to $8,000….

Frances Westbrook: Uh….

Chris Braly: …that might be conservative….

Frances Westbrook: …I thought I said $7,000 but maybe you might be right, hold on….

Laurel Taylor: $7,000 to $8,000.

Frances Westbrook: $7-$8,000 okay.

Chris Braly: That would be conservative.

Frances Westbrook: If we are talking just WIFI type microphones and do they amplify themselves is that what I’m understanding.

Chris Braly: Some systems have a like in, it’s probably inside the main speaker that broadcasts the sound that has the amplification, but I mean there are systems that are $5,000, you know portable systems that are $5,000, $4,000….

Bonnie Schaschek: But you don’t need to wire the building and all that?

Chris Braly: No, but you know, if we, I mean the question is how can we, how can we spend all of it appropriately….

Frances Westbrook: Not have to send any back, yes.

Chris Braly: You have to think that if you don’t spend $7.62 that they are going to, I don’t know if they’d make you send that back or not but….

Bonnie Schaschek: Probably.

Frances Westbrook: If they do, we will.

Chris Braly: Right, but my point that this sum of money is too large to send back in my opinion.

Bonnie Schaschek: I’m surprised we haven’t gotten any applications.

Chris Braly: I don’t know if it was publicized that well and because it wasn’t publicized very well so, unless you were at the meeting or listened to the audio.

Frances Westbrook: We might could employ also the new Irvington Business Group that organization….

Chris Braly: To get the word out.

Frances Westbrook: …to help get the word out.

Chris Braly: So I guess because time is running out, would it be prudent to come up with a number and say this is the pot that we are going to offer and you, we will be accepting applications up until this date, we will be making the awards on this date, and if, I mean there is not 100 businesses but if 15 businesses apply then it is distributed equally amongst all 15 and if 5 businesses apply then it is distributed equally amongst all 5. We just have to….

Frances Westbrook: The concept I think is minimal to me, I mean I don’t know how you….

Bonnie Schaschek: I’m fine with it. We have been trying to get the businesses to do….

Frances Westbrook: Yes we have.

Bonnie Schaschek: …this for a while. That’s why I’m just surprised that nobody has bothered applying.

Frances Westbrook: So….

Bonnie Schaschek: It’s been quite a while that we keep saying the funds are there for them to use.

Wayne Nunnally: I thought we already did give grants.

Bonnie Schaschek: We did and then we wanted to do a second round.

Chris Braly: We voted on a second round.

Frances Westbrook: To do a second round.

Bonnie Schaschek: Because we don’t have schools, we don’t have police departments….

Chris Braly: Right.

Bonnie Schaschek: There is very little other….

Chris Braly: Yes..

Bonnie Schaschek: …than hand sanitizers, paper towels that we can spend the funds on.

Chris Braly: Apparently there’s a shortage on those.

Bonnie Schaschek: So you know it’s.

Frances Westbrook: So Chris if we had a round number to offer for that, say $26,000, that’s a little bit more than the $8,000, but it is a round number, would that work for you, would you…

Chris Braly: Sure, I mean, as large as the Council feels comfortable with, I mean, if we reserve some money for microphones, and we reserve a pot for small businesses, and then we get the word out and we have a deadline and go from there.

Frances Westbrook: Okay.

Wayne Nunnally: Why don’t we do that tonight and then if we can’t get the microphones, then we….

Frances Westbrook: ….we can just sweep the pot basically….

Wayne Nunnally: …until December, right. So, what’s the deadlines we want to use?

Chris Braly: Well, I mean, so we are meeting one more time before the end of the year…

Frances Westbrook: That’s the time we need to vote.

Bonnie Schaschek: We need to take the proposals, the paperwork that is already there and then back into those dates.

Chris Braly: Right.

Bonnie Schaschek: So starting now when is the next one and the next one. I don’t remember what dates we had on there before. I can’t remember.

Frances Westbrook: I don’t remember either but if we put a deadline on there so that we have these requests…

Bonnie Schaschek: If we have the paperwork by the 12th…

Frances Westbrook: In time for the next meeting.

Chris Braly: So, the last time it was November 18, 2020 was the start and the close was November 24th, so that wasn’t….

Frances Westbrook: Very long.

Chris Braly: …that much time.

Bonnie Schaschek: Well, that’s because at that point we thought we had to give the funds back in December of that year.

Chris Braly: Okay.

Bonnie Schaschek: And everything had been rushed, so I would say just, we they have to get the applications, when is our next meeting, the 11th.

Frances Westbrook: The 9th.

Chris Braly: The 9th, so by the 8th.

Frances Westbrook: So, if we could get this, we are at the 18th now, if we can get this information out to them the middle of next week.

Chris Braly: I mean I was going to work with Laurel….

Bonnie Schaschek: It’s on the website so we just need to change the date on the website.

Chris Braly: I was going to mark these up and send them to Laurel to change a few things.

Frances Westbrook: To change, but what I’m talking about is literally getting this in their hands….

Chris Braly: By Monday….

Bonnie Schaschek: By Monday.

Chris Braly: On Monday, have them available on Monday.

Frances Westbrook: It might be Tuesday.

Chris Braly: Tuesday, if I can get, I mean, I’ll do the markups and get them to her tomorrow.

Frances Westbrook: Okay she is not going to be in the office tomorrow she is going to be with her husband tomorrow.

Chris Braly: Okay.

Frances Westbrook: Okay, you can certainly send them to her if you want to but you might want to go over those with her in person so let’s just say if we can get these out Tuesday and I’m proposing that you know maybe we can go door to door, I would be available to help do that….

Justin Nelson: I’ll go door to door.

Frances Westbrook: We can do that.

Chris Braly: We can put them on the website, we can put a notice in the…

Bonnie Schaschek: In the post office and then….

Jackie Brown: Can we just email them an application.

Chris Braly: I’ll send an email to the business association with….

Bonnie Schaschek: And that should be sufficient.

Chris Braly: ….an updated application.

Frances Westbrook: I don’t see where it is all that big a deal to literally place in their hand the application and there is a deadline on the application we need to get it back because if we don’t get the interest in this we are going to be sending this money back.

Wayne Nunnally: So, what’s that deadline?

Frances Westbrook: So.

Bonnie Schaschek: I would say they have to have them back to us by the 8th if our meeting is the 9th.

Frances Westbrook: Let’s back that up let’s say Friday the 3rd.

Chris Braly: Okay.

Frances Westbrook: A week time to get all that together.

Wayne Nunnally: If they haven’t done it, then the rest we could spend on microphones, whatever is left.

Bonnie Schaschek: No, they are keeping $8,000 out for the microphones.

Wayne Nunnally: That’s what I said.

Frances Westbrook: We can say the Thursday deadline, we will have a straggler or two perhaps, so December 3rd is the deadline and then we’ll deal with it and….

Chris Braly: $26,000 will be the pot that we….

Bonnie Schaschek: Depending upon how many applicants.

Chris Braly: It’s divided equally.

Frances Westbrook: Yep, and December 9th and we will appropriate the funds accordingly. Okay.

Bonnie Schaschek: I think we had like 10 last time.

Chris Braly: I think it was 6.

Frances Westbrook: I think it was 6. Alright very good, any other questions.

Wayne Nunnally: Thank you Chris.

Frances Westbrook: Very good. Alright gentlemen would you like to rejoin us.

* FlackShack, Anthony Marchetti.

Frances Westbrook: Alright the next item on Old Business is FlackShack, Anthony I do believe that is yours.

Anthony Marchetti: Just an email from Susan. This is just an email, probably nothing we haven’t talked about, I just wanted to share with Council, and we can obviously get it out to the public that Susan French said she can you know for the remaining what would be 6 months of our fiscal year I guess cater to our budget, adjust her scope’s not the right word, frequency, you read through it’s got the details. I just wanted to keep it on everybody’s radar, right now there is no money for this in the budget but if the proposed budget there is that new line item for tourism support. I just wanted Council, everybody to be thinking on it. I just didn’t want to, we don’t have to go this route, but we’ve got 6 months, you know the budget goes through, this seems like a really easy way to be doing something right away and use that money. I’m open to other ideas of course but just wanted to keep this on the surface so people could think about it, if the budget passes in December you know we can go, if we go this route, commission FlackShack as soon as we can so that we can get them, get their services as much as the remaining fiscal year as possible. That gives us the time on the new budget to, I guess we don’t have to decide for the new budget, but we have more time to figure out how we will spend it next fiscal year.

Frances Westbrook: Okay this is informational for us.

Anthony Marchetti: Information, yeah, she is basically doing the same thing she did before, I guess a lot of the leg work, heavy lifting has already been done and she just proposes what frequency she would do each of the things that she does in terms of social media posts, website contact, calendar updates, blog, etc. So, that’s all I got.

* Golf Car Registration Form, Frances Westbrook.
* Short-Term Rental Registration Form, Frances Westbrook.

Frances Westbrook: Alright, the next two items we will take in tandem that is the golf cart registration form and the short-term rental registration form. They were in your packet. These are the proposed registration forms we will be using. I do not believe we have determined a fee for the registration of short-term rentals and that is what we need to come up with.

Anthony Marchetti: So, it won’t go into effect until?

Frances Westbrook: Until the next go around.

Anthony Marchetti: Until the next go, so that would be the…

Frances Westbrook: That’s right.

Anthony Marchetti: ..that’s not included.

Frances Westbrook: That’s something that we are going to have to think about and we are going to have to go into the next budget which you guys will start working on almost immediately.

Anthony Marchetti: Just one giant budget.

Frances Westbrook: But the golf cart registration form, we can start using that fee was already determined to be $25.00 and if you all don’t have an objections then I’ll ask Laurel to start using this fee the first of the year for golf cart registrations.

Chris Braly: I’m confused about the short-term rental one, was the, when the ordinance was passed was there a fee proposed for that or, why?

Frances Westbrook: There’s never, we’ve never decided on a fee, there has never been a fee schedule, that has been submitted with the budget that we have to pass every year….

Chris Braly: Right, yeah.

Frances Westbrook: …so that’s not been a part of our fee schedule to date.

Chris Braly: But we can still use the short-term registry just….

Anthony Marchetti: We can’t charge for it, there’s no fee for it.

Chris Braly: Right. I mean I think we should do that because it.

Frances Westbrook: We can do that.

Chris Braly: I mean I think we should.

Frances Westbrook: For the first year.

Chris Braly: It has been passed and implement it.

Bonnie Schaschek: Six months.

Anthony Marchetti: We can still capture the registry.

Bonnie Schaschek: I think at one time we used to charge $50, way back when.

Frances Westbrook: We never had a registry.

Bonnie Schaschek: No, but when they came in to do whatever.

Chris Braly: Does there need to be a fee.

Bonnie Schaschek: I can’t remember.

Frances Westbrook: Not that I’m aware of.

Chris Braly: Isn’t the point of this to track who should be paying their occupancy taxes?

Frances Westbrook: Yes, that is, that’s the ultimate goal on this but no we’ve never had this before or charged a fee before.

Chris Braly: Right, I would recommend just implementing the ordinance that we passed without a fee associated with it because we want people to sign up so that we can make sure they pay their taxes.

Anthony Marchetti: Valid point.

Frances Westbrook: Yeah.

Chris Braly: I don’t think there needs to be a fee associated with it.

Dudley Patteson: There should be a penalty if they don’t…

Bonnie Schaschek: There is a fee, even the County charges a fee for the registration.

Frances Westbrook: All counties charge a registration.

Bonnie Schaschek: There is a bunch of administration work that has to be done. I agree for 6 months you want to try and get as many of the short-term rentals on the list as possible since it is not in the fee schedule but then when we redo the budget we put a line item in the fee schedule for it, so I mean, that’s….

Frances Westbrook: Nancyellen?

Nancyellen Keane: I was just going to tell you that the ordinance that you passed allows you to use that form whether or not you have a fee, allows you to have a fee and as Bonnie said yes you would need to determine what it is at the next go round to go on the fee schedule, your only allowed to charge as much as it would take to cover your cost.

Bonnie Schaschek: Right.

Nancyellen Keane: Anyway, so you could say that for the first 6 months while you’re going through the first 6 months of it you are gathering information about what your costs are for doing this to justify what fee you put in your fee schedule when you get around to doing it, so that can be a way to test it in a way.

Frances Westbrook: So, if we came up with a fee it wouldn’t go into effect until July 1st.

Chris Braly: Correct.

Frances Westbrook: So hence your 6 months of, it would probably encourage people to sign up before a fee is involved so.

Chris Braly: Yeah, and I guess what I would like to see is that we get as many people signed up as possible and the question is how do you do that without…

Frances Westbrook: It’s an ordinance now, they have to.

Bonnie Schaschek: They have to.

Frances Westbrook: Yeah.

Chris Braly: I know it’s an ordinance and they have to but….

Wayne Nunnally: Jason, Jason…

Frances Westbrook: You mean Justin.

Wayne Nunnally: Justin, I’m sorry.

Chris Braly: So you know short of having Justin go on VRBO and Air BNB and finding these places you know you are relying on a lot of people who don’t live here.

Wayne Nunnally: One of my kids told me it is like 35, I had no idea that we had anything like that number.

Frances Westbrook: Well these two forms will be a part of the packet that we send out along with the septic inspection and pump.

Chris Braly: Ah okay.

Bonnie Schaschek: That’s it, every resident regardless.

Anthony Marchetti: Every property owner would get the same form.

Frances Westbrook: For the Town of Irvington that has already been provided to us from the Town.

Chris Braly: Okay.

Frances Westbrook: So that way it will go to the property owner.

Anthony Marchetti: A way to get all that information.

Frances Westbrook: So, alright.

Chris Braly: Okay.

Frances Westbrook: So that’s that. Alright that’s the end of Old Business, do we have any.

* Public Comment.

Chris Braly: Hold on, there’s public comment.

Frances Westbrook: Yeah, go there. So, the public is invited to speak to any of the topics we covered so far in Old Business. State your name and address please.

Tom Chapman: Tom Chapman, 62 Old Cove Road, in the CARES Act funds distributed to businesses, I don’t know what businesses applied but just off the top of my head real estate did real well so I don’t think we should distribute money to any real estate firms and realtors and I don’t know if BNB count as a business but I don’t think they should be getting any.

Frances Westbrook: I don’t know if we can legally exclude.

Bonnie Schaschek: We can exclude by number of employees.

Frances Westbrook: Can we, I don’t know.

Bonnie Schaschek: Yeah.

Chris Braly: There…

Frances Westbrook: Nancyellen has a comment on that.

Nancyellen Keane: I was going to say real estate is eliminated.

Frances Westbrook: Oh, they are eliminated.

Chris Braly: There’s exclusions, the law excludes certain businesses.

Bonnie Schaschek: Yeah, it does.

Frances Westbrook: Alright so okay, well that will take some coordinating.

Bonnie Schaschek: Yeah, it is actually in the paperwork.

Chris Braly: And I think there was some stuff about your business had to be formed…

Bonnie Schaschek: By a date.

Chris Braly: …prior to a certain date, etc.

Frances Westbrook: I do remember that part, but I didn’t know there were groups excluded.

Bonnie Schaschek: Yep.

Frances Westbrook: Anyone else? Alright, we’ll move on to new business. Oh, I’m sorry.

Teresa Ransone: Teresa Ransone, 424 King Carter Drive. I have a question about the forms that y’all are doing.

Frances Westbrook: Uh huh.

Teresa Ransome: And I don’t know if I’m reading them wrong or if I missed it but are these annual fees.

Frances Westbrook: Yes.

Teresa Ransone: And I’m sure that that is going to be enforced.

Frances Westbrook: We certainly hope so.

Teresa Ransone: In some way.

Frances Westbrook: Yep.

Teresa Ransone: With procedures.

Bonnie Schaschek: We are going to try.

Teresa Ransone: Because you know frankly, I did not know that the golf cart was, you were supposed to pay that every year, so I’m in arrears.

Frances Westbrook: Well, you and everybody in this room.

Bonnie Schaschek: We actually didn’t collect it because we never put it on the fee schedule even though it had the ordinance.

Teresa Ransone: Now, I did pay it once.

Bonnie Schaschek: I paid it once too, but I haven’t paid it since.

Wayne Nunnally: I’ve paid it five times.

Bonnie Schaschek: You’ve paid it five times. I have five stickers.

Teresa Ransone: I was just, it wasn’t clear and there is no place on these forms to state they did pay.

Frances Westbrook: Yes, there is at the very bottom of the, let’s see, it does at the very bottom, registration fee down here and proof of insurance.

Teresa Ransone: Oh, okay. Thank you.

Frances Westbrook: The requirements that are on these forms is by State Statute we have to have this information in order for us to have golf carts on the three streets that we are allowed to have golf carts on.

Chris Braly: Give Justin a golf cart with a little siren.

Bonnie Schaschek: That’s a good idea.

Wayne Nunnally: A blue light.

Chris Braly: Sounds like fun to me.

Frances Westbrook: Siren on it for you to enforce.

Justin Nelson: I’m down. Well for my car $4.00 a gallon is expensive.

Frances Westbrook: Alright we’ll move onto new business.

1. **NEW BUSINESS**

* Rappahannock Record ad to advertise two upcoming appointments for Planning Commission vacancies.

Frances Westbrook: We have two additional vacancies coming up on the planning commission, one of course is Julie as she moves into being our Mayor, so we will need someone to take her position starting January 1st of next year, [inaudible] Capps end of his term February of 2022, so those are two positions we are going to have to look at and so the reason why I’m bringing that up right now is that we need to keep that in the paper and I need your motion to do so.

Chris Braly: Steve Kimmith also his term already ended.

Frances Westbrook: We already have that.

Bonnie Schaschek: We have those.

Frances Westbrook: Yeah, that’s part of one of the closed sessions tonight.

Chris Braly: Okay.

Anthony Marchetti: We had advertised for his Chris and there’s just two more coming up.

Chris Braly: Oh, okay gotcha.

Frances Westbrook: New seats…

Anthony Marchetti: Additional seats coming up.

Frances Westbrook: Also, we need to appoint another member to the Board of Appeals, George Cooper as of September of this year, the end of his term and I don’t think in the past that we have advertised in the Rappahannock Record for Board of Appeals, it is a five member group, quite frankly they seldom met and we may want to reach out to Mr. Cooper and see if he wants to be reappointed. We may want to look at some other candidates or whatever but we need to get that done sooner rather than later and I’d like to see that happen in December if possible since he expired, his term expired back in September.

Wayne Nunnally: He was the last one….

Frances Westbrook: He filled an expired, uh huh.

Chris Braly: I’ll make a motion to keep the ad in the Rappahannock Record for….

Wayne Nunnally: Second.

Chris Braly: …the Planning Commission seats.

Wayne Nunnally: Second.

Frances Westbrook: Any other discussion, all in favor?

Group: Aye.

Frances Westbrook: All opposed? Motion passes.

**Vote**

Chris Braly, aye.

Dudley Patteson, aye.

Anthony Marchetti, aye.

Bonnie Schaschek, aye.

Wayne Nunnally, aye.

Jackie Brown, aye.

**Motion (*Chris Braly)* To Keep the Ad in the Rappahannock Record for the vacancies on the Planning Commission – Motion passes 6-0.**

Chris Braly: Who is going to reach out to Mr. Cooper to see if he wants to…

Frances Westbrook: I’ll be glad to do that.

Chris Braly: Okay.

Frances Westbrook: Okay, so. Is that the general consensus of the Council?

Bonnie Schaschek: Uh huh.

Wayne Nunnally: Take a baseball bat with you.

Frances Westbrook: To make sure he says yes. Okay, alright, next item is Round Table, do we have anything Town Council member wishes to announce or bring forth.

1. **ROUND TABLE**

Chris Braly: I have something that I’d like to say but I have a real quick question, for the budget doesn’t, haven’t the previous budgets been passed with an official ordinance that gets advertised in the paper and everything so if this was the first reading was that done for this?

Frances Westbrook: We do not have that for this reading, we need to put, that could be a problem.

Wayne Nunnally: It can be fixed.

Frances Westbrook: It can be fixed, I mean this happened once before too, here a few months back so, alright let me see how I can rectify that, that could possibly entail a meeting to tell you the truth. Alright, let me see how I can rectify that.

Chris Braly: Before it delays the…..

Bonnie Schaschek: It’s not necessary.

Frances Westbrook: We have the time I think, I don’t want to speak out of turn, let me look at this and see, that’s major. Alright, thank you.

Chris Braly: But I did have another topic I wanted to address.

Frances Westbrook: Sure.

Chris Braly: Thank you. I’d like to address the public comment regarding the sewer feasibility study made at the Budget & Finance Public Hearing on November 4th. While I appreciate the desire of Mrs. Chapman to have the Town conduct a prudent and careful analysis of a potential public sewer project, I do not believe that a preliminary study conducted by nonexperts is a necessary prerequisite for conducting an independent feasibility study. I do not believe that anyone on Town Council is qualified to lead any preliminary sewer study and I do not believe a Needs Assessment and Preliminary Economic Analysis will provide any information that an independent feasibility study will not provide. The article published by the Iowa State University Extension and Outreach decisionmaker an agricultural economics and business website for farm business decision states that conducting a feasibility study is always beneficial to the project as it gives a clearer picture of the proposed project. Even though this article referenced by Mrs. Chapman in her comment was written for businesses to use as a guidance to “investigate the viability of a potential business venture” many ideas are applicable to our Town with regards to this project. The author stressed “the importance of a feasibility study is based upon the organization’s desire to get it right before committing business resources times and budget”. The authors believe that not doing a feasibility analysis can be even more expensive in terms of poor decisions you may make from not conducting the proper analysis. I believe that a feasibility study conducted by experts before the resident’s survey and comprehensive plan update would best serve the Town of Irvington. I wonder how can the residents and business owners honestly answer survey questions about a potential sewer project without knowing the facts related to the estimated cost of the project and what will be required of them. A feasibility study conducted by experts will provide this. Without facts people can only speculate based on what they assume. No one knows what a project like this will require. No one knows how much the project will cost. No one knows if there are other sources of funding available to help keep the costs to residents and businesses down. This information will not be known until a feasibility study is conducted by experts. Unfortunately, I had to replace my septic system this year and let me tell you it was not cheap. If the feasibility study were to show that connecting to a town sewer system is much less than the cost of replacing a septic system, why wouldn’t someone want to connect to the sewer system. On the other hand, if the cost to connect was much greater than that of a new septic system I wouldn’t blame anyone for not connecting. No one knows which case will be true until an independent feasibility study is conducted. Many will argue that the economic impact of a project of this magnitude is the most important factor. However, in my opinion the environmental impact is much more important. I would hope that a feasibility study would also show the environmental benefits of switching to a public sewer system. Did you know that most of Carter Creek is deemed a condemned shellfish area by the Virginia Department of Health effective October 15, 2021 notice #021-041 states that some portions of the creek are seasonally condemned from April 1 to October 31, before a large portion of Carter Creek it is “unlawful for any person, firm or corporation to take shellfish from this area for any purpose”. In a 2019 article addressing the problems of failing septic systems published by Rivers and Coast an annual publication of the Center For Coastal Resources Management at the Virginia Institute of Marine Science the authors indicate that even “a properly installed and correctly functioning septic system can still deliver a significant load of nitrogen to adjacent waters through shallow ground water. They also indicate another problem with septic systems is that recurring tidal flooding over drain fields due to sea level rise are expected to aggravate the situation. A failing system due to increasing saturation can deliver even more nitrogen, phosphorous organic matter, bacteria and pathogens. It is the responsibility of Town Council not only to focus on present day issues but be forward thinking about issues that may present themselves well after we are gone. As a group we decided to apply for the ARPA Funds. The Federal Government allows for these funds to be used for investments in water and sewer infrastructure. In the interim a final rule issued by the Department of Treasury the ARPA provides funds to state, local and tribal governments to make necessary investment in water and sewer infrastructure. By permitting funds to be used for water and sewer infrastructure needs congress recognized the critical role that clean drinking water and services for the collection and treatment of waste water and storm water play I protecting public health. Whether or not to move forward on a town sewer project is not an economic issue, it is a public health issue. All funding used to conduct the feasibility study will come from the ARPA Funds that we as a group decided to apply for. Not a single dime of the Town’s money will be used for the feasibility study. We need to move forward, have experts conduct an independent feasibility study and obtain factual information in order to make the best decision for the Town of Irvington. Thank you.

Frances Westbrook: Your welcome. Anybody else.

Wayne Nunnally: I’ll just make one quick comment. There is a great deal, good hard work Chris, it is hard to disagree with what you said but some communities may have in it those experts that know how to build systems, have built systems and can give us that advice on a pro bono basis before we have to spend any funding. I would be totally against it if we had to spend the whole funds but if ARPA is available I understand that and we will hopefully use those if we go forward but this, an independent committee could give that group a lot of help if they know what they are doing. A few years back Ed Sulick who is a wonderful gentleman, he spent a lot of work on this, a study that is way out of date now, but it was 5 years ago and the information he was brought back was phenomenal and unpaid for. So, I don’t want us always to be jumping, jump, jump, jump to spend money when you know if we can do it cheaper and get the same quality and or experts are available to us we should employ them and it is basically if they are willing to work but that is another discussion but thank you for your good work on that. The one thing I want to be absolutely certain on okay, I got hood winked on this money when we hired Bay Design. In that motion that I made to hire Bay Design I specifically put the money was coming out of ARPA Funds, COVID funds….

Chris Braly: Uh huh.

Wayne Nunnally: ….and I would not have made that motion, now that the people had to pay for it, so before we jump it I want to make absolutely certain that these funds can come from that pot.

Chris Braly: I promise you; I will email you the interim final rule from the Department of Treasury.

Frances Westbrook: The specific.

Chris Braly: From Jay Sanudo his ruling on the sewer feasibility study and using the ARPA Funds and he said absolutely. I can forward that email but noted. We can make sure it is.

Frances Westbrook: I want to clarify to and Ms. Chapman you are sitting here, so correct me if I’m wrong, you did send your talk or your comments that you had at the last meeting to Town Council members and what I got out of that was that she is not saying not to do a feasibility study what she is saying is to do some preliminary gathering.

Chris Braly: Right, right.

Frances Westbrook: Within our community and just use some of our resources to give us an idea.

Chris Braly: Right and my position is that that step can be skipped because the organization that would be hired to provide the feasibility study can provide that same information.

Frances Westbrook: So are you more concerned with the time factor of….

Chris Braly: Yes, part of it, yes.

Frances Westbrook: Each step.

Chris Braly: Yes, and especially with the survey coming up not, it might be too late anyway but what I don’t want is to have people answer surveys without knowing the facts.

Frances Westbrook: No, I don’t think any of us want that.

Chris Braly: Right. So, if there are survey’s, I’m assuming that there will be questions related to public town sewer on this upcoming survey, without having any kind of information to base your opinion on as a resident you know you will be answering something that you may not be able.

Jackie Brown: Same for the town office…

Chris Braly: You are exactly right.

Jackie Brown: …numbers.

Frances Westbrook: Alright, so let’s consider this.

Anthony Marchetti: I think we are all after the same information I just don’t know if somebody could bring to the table and say here is what information a pre-feasibility study is going to provide and explain how that is valuable and how that’s not the same information that you know the firm that conducts the feasibility study is going to provide. I don’t know enough to say 100% but at the surface to me it seems like it’s going to delay getting to the feasibility study but, again, I don’t think that somebody can say this is what the prefeasibility study, this is what information it provides and it is different than what we are going to pay somebody else to collect.

Wayne Nunnally: The only way I look at it is this, I think we all want what is best for the Town, no doubt about it, but if we have X number of dollars to spend and if I can save even this free money some of that by having a prefeasibility study then I have, can use that free money for something else too and not just completely use it all up in one pot.

Frances Westbrook: Alright let me say something….

Wayne Nunnally: Let me just finish Madam Mayor if I may.

Frances Westbrook: I’m sorry.

Wayne Nunnally: My example would be something like this, if the feasibility study determines how many miles of pipe we need, if the feasibility study, the preliminary one determines what they think the size would be of those pipes these are hours that the new fella wouldn’t have to spend in his report.

Frances Westbrook: I think they’d spend it anyway.

Wayne Nunnally: Which would to me help them a great deal and may even keep that money down and we’ll have some of it to go somewhere else, that’s all I’m saying. I want to make sure that we don’t, we can use it for the full amount.

Anthony Marchetti: Not going to be reckless with the money, I will comment I think the Town is going to have a hard time spending the ARPA Funds like we did with the CARES Funds, again fortunately sidewalks doesn’t look like it is going to qualify outside of that, we have very little that I think we would be able to spend it on.

Chris Braly: The difference between CARES and ARPA is the added infrastructure, water, sewer, broadband, it is the same like COVID impact funding for hospitals, schools, that stuff but then they added this extra infrastructure.

Anthony Marchetti: A feasibility study would represent you know if we stick to what is on the capital budget 20% of our ARPA funds so that still would leave 80% of the $150 out there.

Frances Westbrook: So, let’s do this. I don’t see any harm if Wayne’s committee just wants to gather a little bit of information let us know exactly what they have in mind, bring it back in December we say yay, nay, move on with it. Wayne would you and Jackie be willing to do that?

Wayne Nunnally: I would like to do that, and I will be canvasing the community for people to give me information.

Chris Braly: Would you also reach out to Kilmarnock since they have just finished or are conducting the feasibility study and see what that offers.

Wayne Nunnally: Chris I did that; I got the figure of $16,500 and I forget….

Bonnie Schaschek: He wasn’t at the meeting.

Frances Westbrook: He wasn’t at the meeting. But that may be part of what you present to us again so, let’s do that and I assume you read Ms. Chapman’s email that she sent us on all of that, but I would suggest if you have any questions in that regard you might give her a shout too just to keep everybody onboard.

Wayne Nunnally: I’m going to call her and talk to her about it.

Frances Westbrook: Okay. Mr. Chapman you said, you were raising your hand for a moment. Do you want to?

Tom Chapman: May I make a comment?

Frances Westbrook: Absolutely.

Tom Chapman: I’m still Tom Chapman, I still live 62 Old Cove Road, in terms of the survey we are going to put out, we are going to get our questions together by the end of January they are going to be out. There’s no way you are going to have a feasibility study conducted by the end of that so Chris to your note that the feasibility study will give us the information to conduct our survey, it won’t.

Frances Westbrook: It won’t.

Tom Chapman: So that argument doesn’t keep you from doing a needs analysis to get a feasibility study you are going to have to put together an RFP right, when assuming you skip any preliminary analysis when do you think you would have an RFP and how would you put it together.

Wayne Nunnally: I don’t know what RFP is.

Frances Westbrook: Request for…

Chris Braly: Request For Proposal.

Tom Chapman: You are basically going to have to put out an RFP by the way I design sewer treatment systems….

Bonnie Schaschek: That’s what he used to do.

Tom Chapman: I’m…on the subject, so you are going to put out an RFP, you are going to get responses back and then you are going to contract one of the firms to bid is that how it works?

Chris Braly: Yeah, yeah.

Tom Chapman: What kind of time frame do you think you will get a completed report back from a feasibility study?

Chris Braly: I mean I have no idea, my point was that I think that the any, I think my point is that we should move directly into figuring out how to get someone to do the feasibility study like Kilmarnock did and not spend additional time with that process.

Frances Westbrook: Sounds like we won’t have that information in time for the survey.

Chris Braly: I understand that but….

Frances Westbrook: This could give us some information that we could use in the survey so that they are not answering a question that they know absolutely nothing about.

Tom Chapman: It would also be part of the RFP quite frankly, I did happen to get the preliminary engineering study from White Stone today, it was done in 2014, I don’t know what it cost because too busy building things, the estimate for building phase 1 and 2 systems in there was $8,000,000 and they considered a bunch of alternatives in this analysis but it is a lot of work to do that kind of thing. You can use their input, let’s face it one of the factors of putting one in here is what is Kilmarnock going to charge because we don’t, we likely don’t have the land to put together a large drift system like White Stone is building unless we acquired land. One of the big factors if we are going to connect with Kilmarnock which is the way people envision this what will Kilmarnock charge us. That’s a conversation with Kilmarnock, we don’t need anyone to do an engineering feasibility study to say hey what are they going to charge our residents to connect to this, we can find that out. In the analysis that was done for White Stone the negotiation with them is that they are going to charge 120% of what they charge their own residents. They are willing to give the people those kind of numbers so having a conversation with them is probably a good idea because they are considering expanding this plant which frankly will get further nutrient removal.

Chris Braly: Right and part of this was because Kilmarnock is in the process of looking at this issue and I didn’t want Irvington to be, I wanted to be proactive to take advantage of what they are doing working kind of in conjunction with them and not just waiting to until they are finished before we….

Tom Chapman: Talking to them prior to getting the RFP out probably would be a good idea. The infrastructure community can do that with a little help from someone that knows something about it. Phil is actually a civil engineer so I think you know we can probably assist prior to getting the RFP out and getting I think the question is what will Kilmarnock actually give us ahead of time and how much are they going to hold back to get the whole negotiation together. They have the issue whether RWC is going to tie in right. What is happening in the whole area is huge progress.

Anthony Marchetti: Right, so Kilmarnock is they have to make some upgrades or expansion to deal with what will be the new high school, Compass is already on it, so Kilmarnock knows they have to do something. What they are exploring is how far, how much, what makes sense right, they said we would love to have the Tides, we love to come down Irvington Road to get to Tides, that’s kind of the Tides would love to not have their outfall go into Carter’s Creek, they want to be good stewards so you know they would love RWC, some of the businesses down King Carter, or excuse me Irvington Road. To your points I don’t think Kilmarnock knows yet what it would cost, what it would charge and that is what they are trying to figure out. I’ve never done it, I’m not claiming to know the process, you know I agree with you I don’t think the White Stone approach is going to be an option for Irvington. I think that is pretty obvious to everybody. The Kilmarnock one might not be an option, I just don’t want to miss our opportunity to….

Tom Chapman: Anthony I guess if you are going to put out an RFP what are you going to have them do, are you going to have them evaluate all these potential alternatives, you can probably sort through some of them ahead of time, like you mentioned last time the Tides Inn, being here, that the Tides Inn would contribute money because quite frankly they have discharge pollution problem.

Anthony Marchetti: It is a possibility like in Kilmarnock like I said things we’re exploring could be that between Kilmarnock wanting the Tides and the Tides wanting to get on it that a big part of that cost to run down Irvington Road and connect to the Tides would be a big part of that main trunk line, I don’t know the terminology could be paid for by Kilmarnock and the Tides and at no cost to the residents or at low cost to the residents and then….

Tom Chapman: But that’s a negation between the Tides and the Town of Kilmarnock.

Anthony Marchetti: Right.

Tom Chapman: Engineering feasibility.

Frances Westbrook: May I bring this back around to the main point if I may please.

Bonnie Schaschek: Can Jackie have her say.

Frances Westbrook: It’s, yes but hold on just let me remind, the main point here is whether or not we want to gather some information in a timely enough factor to get it on the survey for the new comprehensive plan. Everything else we are talking about is a little down the road and it is good information to have and I think we need to cease that but what we are doing right now tonight is basically a time factor to get information for the survey.

Anthony Marchetti: That doesn’t seem feasible.

Frances Westbrook: I think it is feasible if we are going to start at the end of January, we can possibly gather some of this preliminary data so that we can at least have something on the survey for the residents.

Tom Chapman: It’s possible.

Frances Westbrook: It’s possible. We don’t know until we try, okay, so, Jackie.

Jackie Brown: I just wanted to say that I did meet with Susan Cockrell some time ago and she gave me some pretty definite figures about what the residents would be and the rest of it depends on the engineering surveys and them deciding how they are going to get the fluid back and forth, etc. the problem was the fact that we have our own water and they wanted all, they wanted the water and the sewer and now they are backing off of this. I asked her about a month about what the costs were going to be and how that was going to work and she didn’t want to talk about it.

Frances Westbrook: No, she probably isn’t going to, nothing concrete but.

Jackie Brown: I do have a number of figures that I can share with the committee when we meet.

Frances Westbrook: It sounds like we may have a little bit of expertise here within the town that we might can tap into if they are willing for questions to point in one direction or another to gather a little bit of information that might be good to use on this survey. The last thing we want is to have a survey go out and residents don’t have enough information to respond….

Bonnie Schaschek: Legitimately….

Frances Westbrook: Legitimately on that question.

Jackie Brown: She also did say that it would require for Kilmarnock to be interested it would require a significant number of residents to agree to sign up.

Frances Westbrook: I would imagine they would have to have X number of or a percentage. Yes sir your name please.

Male: [inaudible] Who is creating the survey? Can we ask that company if they have enough information or.

Frances Westbrook: That is not exactly what this company does I don’t think.

Female: Designs surveys and they will be meeting with different stakeholders in town, residents, businesses and so forth to find out what they want to know about and may design the questions based on…

Male: But shouldn’t that company tell us what type of information they need. We are talking about something we have never done, and it is creating the survey and shouldn’t they tell us what type of information they need.

Bonnie Schaschek: We tell them what we want them to ask.

Frances Westbrook: We tell them what we need to know. This is being done in conjunction with the comprehensive plan review so this company is what they do, they have people like us do their comprehensive plan review and one of the steps is of course doing the survey It will be a joint effort. There is going to be some things that they are going to need to know but there is things that we as a town are interested in knowing such as who we want to do a sewer, do we want to have a boat ramp, do we want to increase or you know redo the Commons area, that’s the kind of thing that we have…

Male: Shouldn’t that company sit here right now with us and talk about that specific.

Frances Westbrook: That company is doing so with the Planning Commission.

Male: Okay.

Chris Braly: Well, the formal recommendation has not been made by the Planning Commission to the Town Council on which firm to hire. There are two firms being considered and that recommendation won’t come until the December meeting and then it is up to Town Council to move forward to negotiate a contract with them.

Female: That’s the company what they do and find out what they want.

Wayne Nunnally: Madam Chairman I am going to call a meeting of the Streets Committee next week and I’ll invite the public and anybody wants to come.

Frances Westbrook: You’ll need to get with Laurel so that we make the required days of a notice.

Wayne Nunnally: That’s right, I just want to…

Frances Westbrook: And next week is Thanksgiving.

Wayne Nunnally: Just tonight we have talked about it enough can we move on.

Frances Westbrook: Next week is Thanksgiving so I doubt we have time to notice it unless you want to meet Friday.

Wayne Nunnally: Thank you ma’am.

Frances Westbrook: Okay. Anything else on this item we are going to get ready to go into. Yes ma’am.

Female: Can I just make one comment.

Frances Westbrook: Absolutely.

Marsha Chapman: Marsha Chapman, 62 Old Cove Road. I encouraged my husband to bring, he picked up the economic analysis for White Stone’s $8,000,000 system and I encouraged him to bring it tonight as a visual so you could see how huge it is, it is at least that thick, and it was looking at all sorts of engineering options and White Stone contracted Economic and Feasibility Study, there is no way that anything like that can be produced in time to help us with the comprehensive plan which was my initial, my initial comment about having a slimmed down pilot kind of a create a feasibility committee was to give us some bones about what we can do for this question and not have to wait for a study that is this big and that was my point of advocating for a prefeasibility study and I still think my point makes sense. Thank you.

Frances Westbrook: Anyone else. Alright we are going to close Round Table we are going to be going into closed session so ladies and gentlemen if you will excuse us, you are more than welcome to wait outside, I don’t know how long we are going to be otherwise whatever motions we make will be.

Anthony Marchetti: Still recording, you need me to read the statement.

Frances Westbrook: Go ahead.

Anthony Marchetti:

1. **CLOSED SESSION**

Anthony Marchetti: you need me to read the statement. I Anthony Marchetti move to go into closed session pursuant to State Code 2.2-3711 A.8 for purposes of legal advice from counsel regarding Fisher’s Pit and for personnel matters concerning appointment to the Planning Commission pursuant to Virginia Code 2.2-3711 A.1.

Chris Braly: Second.

Frances Westbrook: All in favor, roll call vote please, roll call vote starting with Jackie.

Jackie Brown, yes.

Chris Braly, yes.

Dudley Patteson, yes.

Anthony Marchetti, yes.

Bonnie Schaschek, yes.

Wayne Nunnally, yes.

Frances Westbrook: Motion carries we are in closed session.

**Motion (*Anthony Marchetti)* To Go Into Closed Session – Motion passes 6-0.**

1. **RETURN TO OPEN SESSION**

Anthony Marchetti: Whereas the Town of Irvington is convened to closed session on this date pursuant to and affirmative and recorded vote in accordance with the provisions of Virginia Freedom of Information Act and whereas Section 2.2-3712 of the Code of Virginia requires a certification by the board that such closed session was conducted in conformity with Virginia Law. Now there be it resolved that the board hereby certifies that to the best of each members knowledge one, only public business matters lawfully exempted from open session required by Virginia Law were discussed in closed session to which this certification resolution applies and two, only such public business matters that were identified in the motion convening the closed session were heard, discussed or considered by the board. Is there any member who believes there was departure from the motion to go into closed session if so, please state the departure? Roll call certification.

I, Wayne Nunnally, so certify.

I, Bonnie Schaschek, so certify.

I, Frances Westbrook, so certify.

I, Anthony Marchetti, so certify.

I, Dudley Patteson, so certify.

I, Chris Braly, so certify.

I, Jackie Brown, so certify.

Frances Westbrook: Alright we are back into open session. We have a couple of actual points. Jackie you have a motion to make.

Jackie Brown: I’d like to motion to nominate Jeremy Taylor to the Planning Commission.

Wayne Nunnally: Second.

Frances Westbrook: All in favor?

Group: Aye.

Frances Westbrook: All opposed? Motion carries to appoint Jeremy Taylor, effective December 1, 2021 to the Planning Commission.

**VOTE**

Jackie Brown, yes.

Chris Braly, yes.

Dudley Patteson, yes.

Anthony Marchetti, yes.

Bonnie Schaschek, yes.

Wayne Nunnally, yes.

**Motion *(Jackie Brown)* To Appoint Jeremy Taylor to the Planning Commission – Motion passes 6-0.**

Frances Westbrook: Next action.

Bonnie Schaschek: Action on Fisher’s Pit, we’d like to transition the legal counsel of Fisher’s Pit from Keane LLC to Sands Anderson effective December 1, 2021.

Wayne Nunnally: Second.

Frances Westbrook: Any discussion? All in favor?

Group: Aye.

Frances Westbrook: All opposed? Unanimous motion carries.

**Motion *(Bonnie Schaschek)* To Transition Legal Counsel for Fisher’s Pit from Keane LLC to Sands Anderson effective December 1, 2021 – Motion passes 6-0.**

Wayne Nunnally: Can we adjourn?

1. **ANNOUNCEMENTS**

* Next Town Council Meeting – December 9th at 6:30 p.m. at the Irvington Baptist Church.

Frances Westbrook: One quick announcement is that next Town Council Meeting December 9th at 6:30, right here. Motion to adjourn Mr. Nunnally.

Wayne Nunnally: Second.

Frances Westbrook: All in favor?

Group: Aye.

Frances Westbrook: Roll call.

**Motion (*Wayne Nunnally)* To Adjourn – Motion carries 6-0.**

**VOTE**

Jackie Brown, yes.

Chris Braly, yes.

Dudley Patteson, yes.

Anthony Marchetti, yes.

Bonnie Schaschek, yes.

Wayne Nunnally, yes.

1. **ADJOURN**