

**Town of Shaftsbury
Selectboard Special Meeting
6:30 PM
Monday, January 25, 2016
Cole Hall, 61 Buck Hill Road, Shaftsbury**

Selectboard Members Present: Tim Scoggins (Chair), Mitch Race, Art Whitman, Tony Krulikowski, Ken Harrington

TA Present: David Kiernan

Others Present: Ed Corey

1. Call to Order

Tim Scoggins (Chair) called the meeting to order at 6:34PM.

2. Conflict of Interest Statement

NONE

3. Approval of Minutes

NONE

4. Announcements

NONE

5. Public Comments

Ed Corey approached the Selectboard and submitted a written note regarding language he wished to see on the Ballot for Town Meeting regarding the location of the proposed Town garage. Mr. Corey also asked the Selectboard to provide answers to a set of questions that be submitted to the Board in writing at a prior date.

6. Finalization of 2016 Annual Meeting Notice and FY17 Budget

Tim Scoggins began the review of the Annual Meeting Warning with the ballot item for the purchase of 510 North Road, Shaftsbury for \$30,000.00, to be paid out over a period of up to five (5) years, as discussed during the Regular Meeting on January 18, 2016.

Mr. Scoggins then reviewed the item regarding the request for tax exemption status for the Shaftsbury Community House.

The Selectboard also reviewed the list of community appropriations requesting funds for FY17.

Tim Scoggins then asked the Selectboard to consider a non-binding article regarding the placement of the new Town Garage. Mr. Scoggins indicated that he was not in favor of including this article on the ballot, but had been convinced otherwise to allow the voters to decide on this item.

Motion: Tim Scoggins moved to approve a non-binding ballot article reading as follows: “Should the Town find a site for the new Town garage other than the Town owned land at the landfill?” Ken Harrington seconded.

A discussion then followed regarding the wording of the article. Tim Scoggins said that he wanted to make sure that this non-binding article only addressed location, rather than the project as a whole. David Kiernan proposed alternate phrasing asking “Should the Town locate the new Highway Department garage on Town owned property adjacent to the closed landfill?” Mr. Kiernan said that he believed this wording would give a clear “yes” or “no” and relieved any ambiguity about what was being asked. Art Whitman inquired if anyone could imply that the public was actually voting on the garage issue in general by including the question on the ballot. David Kiernan said he believed it would not. Mitch Race commented that the re-phrased question insinuated that if the garage was not to be put on the Town owned land on North Road, that a purchase of new property would be necessary. David Kiernan indicated that it was better to ask the question now rather than wait for a bond vote later in the year and have it voted down.

Motion: Ken Harrington moved to amend the non-binding article to read as follows: “Shall the Town locate the new Highway Department garage on Town owned property adjacent to the closed landfill on North Road?” Tim Scoggins seconded.

A brief discussion followed about the feasibility of adding language regarding alternatives to the site on North Road. Mitch Race asked if a question could be asked of the public to confirm that new property would need to be purchased if the North Road site was voted down. Tim Scoggins and David Kiernan said that the Vermont League of Cities and Towns cautioned against adding too much information on ballot items. Tim Scoggins said that his original reason for being against posing this question at Town Meeting was best expressed as “perfect being the enemy of the good” and that he felt the North Road site was a good location for the garage. Ken Harrington out that there was not much land in Shaftsbury that is currently zoned as industrial, thus limiting the options for the placement of the garage. David Kiernan again reminded the Board that if they did not ask this question, that there was a risk of a bond being voted down in November.

Tony Krulikowski asked what the next move would be if the voters did not approve the North Road location. Art Whitman said that land owned by Dailey’s (now Peckham

Industries) may be an option but had not been thoroughly explored. Tim Scoggins said that the Board would have to work to campaign to get the message for a “yes” vote out before elections on March 1st. Mr. Scoggins again reminded the Board that there is a perception that there is a water quality problem at the North Road site and that information would need to be disseminated refuting the charges that the water is contaminated. Mr. Scoggins said that he would write an article for the Bennington Banner prior to the March 1st elections.

Tim Scoggins asked the Board if they felt that there was a need to include this non-binding article on the ballot. Art Whitman said yes. Mitch Race said that he felt that perhaps too many opinions would hinder the decision-making process and that the public had elected the Board to make these type of decisions. Ken Harrington said that he felt the question was an important one to ask but it should be done in a way so as not to “talk down” to the voters. Tony Krulikowski said that he felt the Board should get it over with now as this question is likely the foundation of the entire garage issue for many people. Tim Scoggins indicated that he was still unsure it was the right thing to do.

Tim Scoggins asked the Board to vote on the Motion to amend brought forward by Ken Harrington and seconded by Mr. Scoggins.
5-0-0 Motion approved.

Mitch Race then moved to remove the language “adjacent to the closed landfill” from the article. Tim Scoggins seconded.

Art Whitman said that he felt the omission of that language seemed like it would deceive the public and that the Board needs to face the question of whether or not the landfill is indeed the problem. Tim Scoggins disagreed that it was deceitful. Tony Krulikowski and Ken Harrington said that they believed the wording as amended in the previous motion was very specific.
0-4-1 Motion failed.

Tim Scoggins then revisited the original Motion to include the non-binding article regarding the location of the Town garage on the March 1st ballot as follows: “Shall the Town locate the new Highway Department garage on Town owned property adjacent to the closed landfill on North Road?”
4-1-0 Motion approved.

Motion: Tim Scoggins moved to approve the Ballot Warning, Version #7. Tony Krulikowski seconded.
5-0-0 Motion approved.

Tim Scoggins reminded the Board that the budget presented at Town Meeting on February 29, 2016 would not include community appropriations and that the reserves

would no longer be voted on by ballot, but would be included as part of the capital improvement fund in the general budget. Tim Scoggins also pointed out that the FY15 “actuals” would not be included as part of the proposed budget spreadsheet in the Town Report but would be addressed in the Treasurer’s Report, pursuant to a change in accounting method proposed during the recent audit.

7. Action Items

- A) Tim Scoggins will write an article on the proposed Town garage site for publication in the Bennington Banner.
- B) Art Whitman reminded the Board about the meeting of the Economic Development Committee to be held at Cole Hall on Thursday, January 28, 2016 at 7:00PM.

Tim Scoggins reminded the Board that there will be two (2) Regular Meetings before Town Meeting in order to address questions regarding the location of the Town garage.

8. Adjournment

Tim Scoggins adjourned the Special Meeting at 7:46PM.