

**Town of Shaftsbury  
Selectboard Meeting  
Water Board Meeting  
5:30 PM  
Monday, June 1, 2015  
Cole Hall, 61 Buck Hill Road, Shaftsbury**

**SUBJECT TO APPROVAL**

**5:30 PM Water Board Meeting**

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

**Absent: Tony Krulikowski**

**TA Present: David Kiernan**

**Others Present: Jim McGinnis, Water Department Superintendent**

1. Call to Order

Tim Scoggins (Chair) called the Special meeting to order at 5:30 PM.

2. Water Board Meeting

Water Department Superintendent Jim McGinnis presented a year-to-date budget to the Select Board showing assets and liabilities.

The estimated revenue showed overdue amounts from late water bills. \$42,000 was outstanding as of last Friday; however, approximately \$8,200 in payments was received today.

Expenditures are over on outside services due to the upgrades to the Twitchell Hill pumping station. A bill to Monument Electric is on tonight's warrant for \$19,400 to pay the last of the Twitchell Hill services. The budget is over by \$16,000, as only \$2,000 budgeted for outside services for the year. This is the last of Twitchell Hill project expenses.

The reason for the upgrades to Twitchell Hill stations was that tanks at the end of serviceable life and were replaced as a proactive measure.

The most recent water bill from the North Bennington Water Department has not been received yet. It is expected today or tomorrow. The North Bennington Water Department meter shows 6.4 million gallons for upcoming period. This is down from past years.

There is an increase in outside services in the budget due to the need for contractors.

Art Whitman asked if there is a legal reason why the town equipment cannot be used by the water department when needed.

In the past when ~~theythere~~ were water problems, the road crew told the water department that no staff could be spared. McGinnis also expressed that plumbing excavation can be delicate work and using a contractor with experience might be prudent, since a mistake with an excavator on a water pipe could be costly.

The restructuring of the jobs in the water department may help, possibly an employee who can perform several different jobs.

It would have to be the right person who can handle the work, water maintenance can be delicate work.

Town equipment may be used for planned maintenance rather than for an open emergency.

The Town does not have a trench box, which is a braced box used to reinforce the sides of a hole so it does not collapse. A trench box is borrowed from (The Village of) North Bennington when one is needed.

An extra \$16,000 was spent on the Twitchell Hill tanks than was budgeted. Jim McGinnis assured Tim Scoggins that there is enough money left to pay the water bill when due.

Jim McGinnis reviewed the receivables ending on May 29<sup>th</sup> of this year with the Select Board. Two debts that will remain outstanding are \$3,300 is due on property on (Route) 67 and \$2,700 is due on a repossessed property.

Six shut off notices will be served tomorrow. One of those properties is abandoned.

Eighteen residences have not paid the water bills and are on the 120-day late list. The amounts are for \$100 or more. The same 50 people pay late.

All payments postmarked by June 1 are considered to be paid on time.

Tim Scoggins asked if the policies that were put in place last year to encourage quicker payments only ~~lasted~~ showed improvement for one billing cycle. Jim McGinnis answered yes.

Tim Scoggins stated that the current procedure will stay the same: to serve notices and shut off water, if needed.

Jim McGinnis spends a large portion of his time chasing down payments.

Tim Scoggins asked Jim McGinnis if there is anything the Select Board could do better. Jim McGinnis stated no.

Jim McGinnis has discretion to work out a payment plan for those with hardships. \$6,000 in late payments cannot be collected due to legal process.

The Shaftsbury Water Department billed 6.2 million gallons from November 1 to April 30. Meters were read on April 12 for the upcoming bill cycle. An average of 35,000 gallons from the North Bennington Water Department is used per day. The variance will not be billed because meters were read prior to April 30 to get the bills completed on time. There is a lag in time between meters read and bills go out.

Tim Scoggins asked Jim McGinnis to send an email about the percentage of water billed from the North Bennington Water Department versus what was billed from Shaftsbury Water Department.

If a leak occurs, Ted Fela from the North Bennington Water Department will call Jim McGinnis to tell him that the meter is showing a spike in water usage.

Tim Scoggins stated it was not a leak problem but a meter problem. New meters resolved issue.

Water meter rate is based on 4.5 million gallons. The North Bennington Water Department bills \$4.25 per 100 gallons. The Shaftsbury Water Department is asking to raise its rates from \$7.50 per 100 gallons to \$7.75 per 100 gallons in line with the North Bennington Water Department increase of 25 cents per 100 gallons, from \$4.00 per 1000 gallons to \$4.25 per 1000 gallons.

Art Whitman suggested an increase of 26 cents per 100 gallons because some not collected.

Jim McGinnis discussed a change to the salary and wages section. The largest increase is for the position of Assistant Water Superintendent to \$5,200 annually. Joe Herrmann is phasing out as Assistant Water Superintendent and will be paid a consultant's rate of \$20/hour.

Art Whitman asked if salaries and wages are up by \$6,000 and outside services are up by \$3,000, for a total of \$9,000, how are these additional expenses to be covered.

Jim McGinnis said that the contingency ~~account amount~~ is \$10,000-reduced to offset the increase.

Tim Scoggins stated the need to budget for increase in personnel. Art Whitman stated that these budgeted items cannot be taken from contingency; there is a need to raise revenues.

If the water rate is raised to \$8.25 per 100 gallons, another \$7,200 would be available. A rate increase to \$8.50 per 1000 gallons would cover entire budget increase of \$9,000.

The water department budget is decided by Select Board, not the voters.

**Motion:** Art Whitman makes a motion to set a water rate for the upcoming budget at \$8.25 per thousand to cover 25 cents increase ~~from~~ in water from North Bennington and an increase in wages and outside services. Mitch Race 2nds.

**Discussion:** Mitch Race asks to raise the rate to \$8.00 instead.

David Kiernan stated that an increase to \$8.25 is a 10% rate increase.

Tim Scoggins stated by raising the rate by 25 cents, the contingency is \$10,000. Raising the rate by 50 cents will bring the contingency up to \$13,000.

**Amended Motion:** Mitch Race amends the motion to increase water rate to \$8.00 per thousand, instead of \$8.25. Tim Scoggins 2nds. 4-0-0. Motion passed.

**Original Motion:** Do we adopt a water rate of \$8.00 per thousand for the reasons stated to cover the expenses outlined earlier. 4-0-0. Motion passes.

The water rate set at \$8.00 per thousand. There will probably be another increase next year in order to achieve a contingency amount of 10-15% of the budget (a rule of thumb).

The meeting will continue on another date. A special water board meeting will be scheduled.

### **6:30PM Regular meeting**

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

**Absent: Tony Krulikowski**

**TA Present: David Kiernan**

**Others Present: Melanie Dexter (Treasurer), Steve Washburn (Interim Road Foreman), Joe McGovern, Deena Ruege**

#### 1. Call to Order

Tim Scoggins (Chair) called the Regular meeting to order at 6:38 PM.

#### 2. Conflict of Interest Statement

None.

#### 3. Approval of Minutes

**Motion:** Mitch Race makes a motion to approve the minutes from the regular meeting on May 18, 2015. Art Whitman 2nds.

**Discussion:** Tim Scoggins made some corrections which were not in original circulated PDF.

~~4-0-0. Motion passes.~~

School website has information for the 5k.

Dipping into the reserve fund of \$65,000 instead of budgeted \$120,000. (Still under budget).

Road Crew week includes one 4 hour day in addition to four 9-hour days.

Garage funds will be \$225,000 by FY 16. \$700,000 total is needed for the garage.

After the Executive session, the meeting adjourned at 8:43 pm.

Tim Scoggins attached credit card policy to the minutes.

**Amended Motion:** Mitch Race moved to approve the minutes from May 18, 2015 as amended. Tim Scoggins 2nds. 4-0-0. Motion passes.

**Agenda change for this meeting:**

There will be an executive session for personnel at end of this meeting.

4. Warrants

**Motion:** Tim Scoggins makes a motion to approve Check Warrant # 25 in the amount of \$26,398.06. Mitch Race 2nds. 4-0-0. Motion passes.

Note: There will be a decrease in the cost of electricity for street lights due to the change to LEDs.

**Motion:** Tim Scoggins makes a motion to approve Check Warrant to Stevens Chrysler/Jeep in the amount of \$234.54. Mitch Race 2nds. 4-0-0. Motion passes. (This cost for towing will be reimbursed by Chrysler)

**Motion:** Tim Scoggins makes a motion to approve Payroll Warrant # 23 in the amount of \$2,649.88. Mitch Race 2nds. 4-0-0. Motion passes.

(Item is Treasurer Stipend. This was a corrections to payroll.)

**Motion:** Tim Scoggins makes a motion to approve Payroll Warrant # 24 in the amount of \$21,851.79. Mitch Race 2nds. 4-0-0. Motion passes.

**Motion:** Tim Scoggins makes a motion to approve Retirement Warrant # 24 in the amount of \$117.21. Mitch Race 2nds. 4-0-0. Motion passes.

**Motion:** Tim Scoggins makes a motion to approve Retirement Warrant # 23 in the amount of \$128.35. Mitch Race 2nds. 4-0-0. Motion passes.

**Motion:** Tim Scoggins makes a motion to approve Payroll Warrant # 23 in the amount of \$16,544.18. Mitch Race 2nds. 4-0-0. Motion passes.

5. Announcements

Mitch Race thanks everyone who supported Shaftsbury's Ordinary Hero of Ordinary Hero. Nominations for next year are due December 31. Kenneth Coonradt was named this year's ~~ordinary~~ Ordinary Hero.

Mr. Herrington's Finishline 5K will start at 9 am on Father's Day. This event will commemorate the retirement of Howard Herrington, who was the ~~g~~Gym teacher at Shaftsbury Elementary for 31 years.

#### 6. Public Comments

Joe McGovern, an Elm Street resident, discussed the problem of cars and trucks speeding on Elm Street. The cars are coming off Bank Street. Speed limit signs seem inconsistent. There is a sign to reduce speed, but no subsequent with that speed. Elm Street is being used as cross street.

~~David Kiernan ordinance needs to be changed.~~ Tim Scoggins suggested that checking the records about speed limit to see if a sign is missing. David Kiernan suggested that speed tables can be put in.

Art Whitman asked to have the Sheriff patrol on Elm Street.

Matt Perry offered to make road signs to slow down. David Kiernan stated that there are standards to make signs enforceable.

David Kiernan will look at speed limit. ~~Tim Scoggins we can set it. David Kiernan transition signs from pavement to gravel can be put up. David Kiernan look at brush.~~

#### 7. Treasurer's Report- Melanie Dexter

Melanie Dexter addressed the Select Board reporting that since the last Select Board meeting on May 13, there is an increase of \$5,000 in revenue for pay as throw and delinquent taxes. Budget is 99.5% done with revenue for this fiscal year.

Expenditures are about 88.5% complete for this fiscal year. There will be two more warrants for this fiscal year. Main variances on expenditure side are due to timing. These are planned expenditures.

#### 8. Financial Coordinator Position/Restructure Treasurer's Office

Vermont League of Cities and Towns (VLCT) confirmed that this restructure can proceed. David Kiernan has the ad ready but would like to review it first. A few more details are needed.

A motion was made at the last meeting for David Kiernan to pursue restructuring the Treasurer's Office.

Tim Scoggins wants to ensure that the split between Treasurer and Financial Coordinator duties can be made by the Select Board ~~without refining~~ given that the ~~role~~ duties of the Treasurer will change.

9. Interim Road Foreman Report – Steve Washburn

Interim Road Foreman Steve Washburn addressed the Select Board. The road department is continuing to grade and ditch. A plan is being made for Potter Montgomery Road.

The road department has a new computer program to plan maintenance. This will create a database on when the roads were maintained.

Chloride usage can be tracked. Eventually, streets will be GPS coordinated to determine where roadwork began and ended on a particular road.

Grants have been received from the State for Paving Class 3 roads. A grant for \$83,000 was received for paving East Road, and a \$27,000 grant was received for an engineering study of Shaftsbury Hollow Road.

There are some questions about the original hydraulic study.

Ken Harrington asked if the State make-is making us put in a Culvert. David Kiernan answered no.

The grant for Airport Road requesting \$65,000 was turned down. The road department will bring the road back in. Town paid \$2,500 paid for an engineer to get ideas.

Art Whitman reminded the Board that Peckham said they would provide materials.

Art Whitman thanked the road crew for doing work at Howard Park.

10. Town Garage Discussion – ClearSpan Salt Sheds

Tim Scoggins reviewed bid proposals on the projected that were sent to the Board members.

The structures are anchored by concrete blocks or shipping containers. Ken Harrington presented a quote from Iron Horse; David Kiernan presented a quote from Clear Span.

The foundations-walls of these structures are blocks or will be built. The base will be pavement, which is good as concrete and cheaper.

The cost of the ClearSpan structure is \$91,000. This amount is for a building that is a 70' x 35' open shed and 2<sup>nd</sup> building 50' x 100' with one closed end, and may have a garage door.

The cost is for a building that is assembled and put together.

The Iron Horse structure is 40' by 42' and costs between \$35,000 and \$40,000. It is more of a tent than a building with a canvas roof. It can hold 600 tons of salt.

Salt usage should go down. The final structure size may change if stone used on the roads instead of salt.

The garage decision must be made before next winter to bring the question of the garage to the voters.

Mitch Race asked how much salt is spread on the dirt roads versus the paved roads. Most of the salt is used on paved roads and plain sand is spread on the dirt roads if temperatures are above freezing.

The Tarp portion is not \$35,000; it is a part of the whole structure.  
100 tons of salt are stored at Stanley tool and 60 tons are stored at the garage at a time.

#### 11. Award Bids Howard Park Tennis Courts

Recreation Committee Head Deena Ruege joined the Board. The Recreation Committee met recently to discuss the three proposals received to resurface the Tennis Courts in Howard Park. Bids were received from Advantage Tennis, Vermont Tennis Courts Surfacing (most detailed), and Vermont Recreation Surface and Fence. Vermont/Surfacing although slightly higher. The Recreation Committee recommends the higher priced and more complete proposal. The cost will be \$12,601.

**Motion:** Art Whitman makes a motion to accept for Vermont Tennis Courts Surfacing for resurfacing the tennis courts for the amount of \$12,601.00. Ken Harrington 2nds. 4-0-0  
Motion passes

#### Discussion of Water Quality at Park

The water test of water at Howard Park showed high coliform ~~reading~~. This is not unusual because the well is shut down for winter. It is only tested once a year and it is not part of the water department's duties. The water source is from the Town's private well. An UB-UV cleaning system recommended to kill bacteria and it requires a water softener. The cost is \$4,000-\$5,000. The plumbing runs from 1<sup>st</sup> to 2<sup>nd</sup> bathroom then to room where the water is treated. The plumbing will have to be rerouted. Is drilling a well an option? A hydrology study will be needed. Water will be tested periodically from well. Money from the grant for the park may be used if David Kiernan sends a letter with the changes to the grantor. Thanks to the Lions Club's contributions, different options can be explored.

#### 12. Bennington County Solid Waste Alliance Ordinance

David Kiernan discussed the Solid Waste Alliance Ordinance. There have been no appeals. It will be adopted. The Select Board signed the document in April. There will be a Public hearing in June. Mitch Race to get form for registration and will look at selections next meeting.

#### 13. Insurance Proposals

Dave Newell at Wills Insurance is working on proposals. Dave will come to next meeting to discuss.

The Town reviews the insurance policies every three years.

#### 14. Sheriff Contract 2015-2016 did not arrive in time for meeting

This will be discussed at the next meeting. The Sheriff will serve 25 hours a week with an emphasis on Howard Park, especially at night.

Lions Club is ~~putting up~~ donating surveillance cameras for Howard Park. ~~†~~ The feed is digitally recorded ~~that and~~ can go to Sheriff's car. ~~The Lions Club will supply cameras for Howard Park.~~ The Lions are also removing broken tennis court lights this weekend.



### 15. Cold Spring, Interrupted

The Cold Spring project started with the idea to integrate art into infrastructure. Town voted down \$10,000 to pay for project.

The Board and Town do not support the project. This cannot and should not go forward.

**Motion:** Tim Scoggins makes motion to give Vermont Arts Council their money back and set the Cold Spring project on the backburner. Mitch Race 2nds. 4-0-0. Motion approved.

### 16. Town Administrator's Report

#### Credit Card Policy

**Motion:** Tim Scoggins moves to authorize the Treasurer to apply for a credit card according to Business Card Resolution Form for the Town of Shaftsbury and that the Board Clerk be allowed to sign the form. Mitch Race 2nds. 4-0-0. Motion passes.

#### Constable Request

The Constables will be working the Mr. Herrington 5K Race and have requested permission to purchase polo shirts and hats to identify themselves as Constables.

**Motion:** Mitch Race makes a motion to approve the purchase of shirt and caps that say "Constable" for the Constables when they are performing public duties. Art Whitman 2nds. 4-0-0. Motion passes.

David Kiernan will look at purchasing Class 2 safety vests for the Constables.

#### Unlicensed Dog List

David Kiernan presented a Warrant to Shaftsbury Constables to the Select Board. ~~100 dogs are unlicensed.~~ There are currently 100 unlicensed dogs on the list.

Chairman Tim Scoggins read the warrant into record. The letter is to the Shaftsbury Constables to give them authority to impound unlicensed dogs and wolf hybrids. The constables must then give a list of the names and owners of those dog/wolf hybrids destroyed after 90 days, and a list of complaints and those who have failed to comply.

David Kiernan explained that an alternative to using the constables for this process is to have the Animal Control Officer deal with the unlicensed dogs.

The current fine is \$20 or \$26 for a non-neuter animal. Fines do not carry over from the previous year. There is a penalty of \$150 as the next step.

David Kiernan explained that this warrant is an option that is ~~not~~ often not signed by the Select Board.

David Kiernan is also able to write a summons since this is a violation of a town ordinance.

Art Whitman asked what the status of finding an Animal Control Officer is.

David Kiernan stated that the difficulty is with finding a pound keeper.

This list of unlicensed dog/wolf hybrids was sent to the Animal Control Officer today.

The Select Board chose not to sign this document stating that it may cost more than the fines are worth to collect them.

### Construction

The Door to Clerk's office has collapsed. It will be replaced with a French door with glass slider. Weather and sound barrier. On the countertop next to the door, a glass slider will be placed and an extension of counter to provide work stations on both sides of counter. Air conditioners will be purchased for the Clerk's and the Treasurer's offices.

A proposal for the work was received by Ed Shewell Construction, a firefighter in town, for \$2,358.

**Motion:** Art Whitman moved to accept the proposal from Ed Shewell Construction for work to the wall and countertop in the Town Clerk's office. Ken Harrington 2nds. 4-0-0. Motion passes.

### 17. Other Business

The truck will be sent to Delurey's tomorrow and looked at. Steve Washburn and Dave Worthington from the Road Department will pick up the truck and inspect it before bringing it to Delurey's.

### 18. Review of Action Items

- Jim McGinnis will send an email to the Select Board with the amount of gallons of water billed by the Shaftsbury Water Department for the current billing cycle.
- Another meeting will be scheduled for the Water Board to complete discussions from tonight's meeting.
- David Kiernan will get estimates to resolve the water issue (i.e., a new well) at Howard Park.
- There will be a review of speed problem on Elm Street.
- Mitch Race will send the Select Board members information about the selections for the Solid Waste ordinance to discuss at the next meeting.
- David Newell will be asked to attend the next Select Board meeting to discuss insurance options.
- David Kiernan will look at safety vests for the Constables.
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### 19. Executive Session

The Board adjourned-moved at 8:~~43~~20 to enter into an executive session about a personnel problem~~issue~~.

The board returned from executive session at 8:26 and adjourned.

### 20. Adjournment

Submitted by Jennifer McGean, Recording Clerk

The next scheduled Regular meeting of the Select Board is Monday, June 15, 2015