

**TOWN OF SHAFTSBURY
ANNUAL TOWN MEETING MINUTES
Monday, March 6, 2017, Shaftsbury Elementary School**

Select Board Present: Ken Harrington; Tony Krulikowski; Mitch Race, Vice-Chair; Tim Scoggins, Chair; Art Whitman.

Moderator: Thomas Dailey.

Others Present: Holly Bahan; Alan Baker; Marlene Barriere; Autumn Bucari; Richard Bump, Recording Secretary; Derek Carlson, Bennington Banner; Eric Chenowski; Jay Coonradt; Melanie Dexter, Treasurer; Will Durant; David Durfee; Fran Endres; Elizabeth Fennick; Bill Fisk; Mike Gardner; Oliver Grant; Victor Harwood; Mike Janesk; Tyler Jenks; David Kiernan, Town Administrator; Fran Kinney; Gerry Mattison; Barry Mayer; Lon McClintock; Maureen McClintock; Alice Miller, Shaftsbury State Representative; Paul Pilcher; Tyler Resch; Merton Snow; Judy Stratton, Town Clerk; Joe Vadakin; Chris Williams; and about 80 other Shaftsbury Residents and visitors (with apologies for any names misspelled).

CAT-TV: This meeting was filmed by Beq Lendvay.

After calling the meeting to order at 7:40pm, Dailey led everyone in the Pledge of Allegiance and then introduced Selectboard members. Dailey noted that

- the first Shaftsbury town meeting was held in 1762, thus making this the 255th annual gathering of the Shaftsbury community
- such open assemblies and debates wherein people can talk freely and without fear are the “epitome of democracy in action”
- part of the reason why we are able to do this is the sacrifice of service personnel

and then asked for a moment of silence in honor of all those who have served and are serving now.

Dailey asked the community to recognize the hard work of all members of all town boards and committees including but not limited to the Selectboard, Town Clerk, Treasurer, Administrative Assistant, Development Review Board, Planning Commission, Road Crew, Fire Chief and volunteers, State Representative, Listers, Auditors, Trustees and all those responsible for making Shaftsbury a better place to live. Residents, in response, gave a standing round of applause to all board and committee members and all staff and volunteers.

State Representative’s Report: After asking the community to fill out and return the Doyle Poll questionnaire available at the entrance to the gymnasium, Miller

- noted her Legislative Report on page 70 of the Town Annual Report
- thanked Bob Holmes for the photograph of Judy Stratton, retiring Town Clerk which was on the cover of the Annual Report
- asked Stratton to join her at the podium.

Miller then read aloud a state resolution congratulating and thanking Stratton for her 35 years of service during which she acted in “the most professional manner...always went the extra mile...always treated people with respect” and that her “presence and superb service” over these last 35 years is appreciated, honored, and will be missed. The audience responded with a standing, enthusiastic round of applause for Stratton, who beamed.

Miller then went on to report that

- unemployment in Vermont at 3.1% is the second lowest state unemployment rate in the country
- Vermont’s 88% high school graduation rate is “one of the best”

- there are 10,523 new businesses in the state, and Vermont ranks second best in the nation for small industries, which comprise 70% of all industry statewide.

Miller further noted that she will support local legislation which

- stands against recent restrictive federal immigration measures
- supports a balanced state budget
- addresses PFOA issues statewide and requires “those who pollute to test for and clean up” polluted resources and lands (including contamination in the Shaftsbury landfill).

Selectboard Distinguished Public Service Recognitions: Scoggins, noting that he “can’t add to what Alice already said about Judy”, then read aloud wording on a plaque presented to Stratton thanking her for her 35 years service and wishing her “the best good luck” in her retirement. Scoggins also

- thanked Bob Homes who is retiring after 11 years service as Auditor and publisher of the Town Report for that same period
- presented Mitch Race with a plaque recognizing him for his extraordinary years of service during which Race “always knew how to serve the town the best,” had the “courage...to always engage [townspeople] and sometimes was able to change minds”, and believed that “it’s not something you want to do for the rest of your life, but it is good experience.”

In closing comment, Scoggins noted vacancies in several town committees and boards, and urged anyone interested in serving to submit a letter of interest or otherwise let him or the Town Administrator know of that interest.

Selectboard Report: Using a power-point format, Scoggins then reviewed the Selectboard Report and FY17 Budget, noting that

- the Selectboard and committee and board members have been able to “hold the tax rate flat for the 3rd year in a row”
- this has been accomplished even while completing significant upgrades in town parks and roads, hiring a professional auditor, and increasing the equipment reserve fund
- the Public Works Garage, “the 2017 edition, we’ve been talking about this since 2009”, is on the ballot again this year as a bond vote, and, given the “\$337,000 already saved up” (via the \$75,000 placed annually in the Reserve Fund since 2013), the bond can be voted and the garage built with “no new taxes”
- the town is in the process of taking responsibility for the Grandview Cemetery (from North Bennington) and is now maintaining the Shaftsbury Hollow Cemetery (at citizen requests).

FY15 Town Warning: Before beginning a review of the Annual Town Warning, Dailey reminded attendees of several housekeeping rules:

- non-residents are not allowed to vote
- given that the meeting is filmed and will be broadcast by CAT-TV, anyone wishing to speak should use the microphone in the center aisle and state their name
- people speaking should address any and all questions or comments to the moderator

Article 1: A motion was made and seconded to waive the reading of and to accept the reports of the Town Officers as published. The motion carried by voice vote and with no discussion other than that already noted.

Article 2, A-E: A motion was made and seconded to pay annual stipends/wages for the upcoming year and as follows

- Selectboard members: \$500 each
- Town Treasurer: \$18,000
- Board of Auditors: \$10.50 per hour

- 1st and 2nd Constables: \$10.50 per hour
- Board of Listers: \$10.50 per hour

and the motion carried by voice vote and with no discussion.

Article 3: A motion was made and seconded to authorize the collection of taxes on real and personal property by the Town Treasurer, due on or before Friday, November 10, 2017 at 5:00pm or likewise postmarked no later than Friday, November 10, 2017 and after

- Gardner moved to amend the property tax to coincide with payment deadline of federal income taxes in April 2018
- that motion failed to receive a second
- Dailey suggested that extending the property tax collection to April would disallow the town to fund the budget properly

the motion passed by voice vote, one opposed.

Article 4: A motion was made and seconded to appropriate the sum of \$1,874,118 to defray the Town's general and highway expenses for Fiscal Year 2018, the amount of such sum to be raised by property taxes and to be reduced by non-tax revenues and reserve funds and as detailed in the *Town of Shaftsbury Annual Report for the Year ending June 30, 2016* (pages 45-56). After Scoggins noted that the \$1,874,118 budget itself does not include the Community Appropriations (pages 56-57), but should all Appropriations be approved, there would still be no increase in the tax rate, Gardner noted that

- although the tax impact of the Community Appropriations is not specified, those "appropriations probably generate more benefit to the town than they cost"
- having town audits done professionally and annually will probably reduce future borrowing costs
- it would be of value to post incoming revenues and outgoing expenses for all positions
- there should be more effective enforcement/collection of delinquent water bills, and the names of people with delinquent bills should be published in the annual report
- some equipment listed in line items in the Highway Department budget has been replaced or sold and should no longer be listed.

In response, in part, Race noted that

- a \$40,000 appropriation represents 1-cent on the tax rate
- it's not unusual for the state to demand that water "be turned back on" to a property for which water had been turned off due to delinquent payments

and Scoggins noted that

- although rules and procedures have been tightened regarding payment of water bills, roughly 50% of delinquent water bills are "repeat offenders with complicated stories" and "we do help folks who need more time"
- there has been some reduction in outstanding water bills
- there are financial penalties imposed on delinquent bills
- town funds and water district funds are not comingled

and Kiernan also noted that

- highway department employees are currently receiving training on water district tasks
- once that training is complete, any time spent by Highway staff on water district work will be billed to the water district.

In a far-ranging discussion, residents, town officials and staff variously noted that

- comparisons of budget to actual expenses for FY16 are included in both the Treasurer's Report (page 15) and the Auditor Report (pages 16-26)
- although the FY17 budget appears to be "OK even if there is highway department overtime during mud season" (Kiernan), there should be some report about the current year budget in the annual report (Grant)

- the fact that the town is “lenient” and works closely with families having trouble staying current with water bills “is a good thing and should be celebrated” (Bucari)
- “thank you to the road people: we appreciate all your good work during the winter and all year long” (Fennick, with audience enthusiastic applause).

Scoggins noted, in response to a question from Jenks, that

- funding for the Bennington Rescue Squad has shifted from an Appropriation and is now included in the budget
- the Rescue Squad appears to be in a “financial crises” and requested an increase in appropriation from \$2,000 to \$42,000, this year to next
- the line item for the Rescue Squad in the budget is funded at \$7,500
- the emergency services provided by the Squad are crucial and this all needs “longer term community dialogue.”

After several points previously made were made again, the motion made at the beginning of this discussion to appropriate the sum of \$1,874,118 to defray the Town’s general and highway expenses for Fiscal Year 2018, passed by voice vote, one opposed.

Article 5: In response to Dailey’s request to transact any other non-binding business as legally may come before said meeting, Scoggins reviewed and townspeople discussed the ballot articles to be voted on March 7, 2017, and as follows:

Ballot Article 6 - Funding for New Highway Garage: *Shall general obligation bonds of the Town of Shaftsbury in an amount not to exceed One Million One Hundred Thousand dollars (\$1,100,000) subject to reduction from the receipt of available state and federal grants-in-aid, be issued for the purpose of financing the cost of constructing a new highway department garage, transfer station and related infrastructure?*

Using a power-point format, Scoggins noted that

- there will be no tax increase if residents approve the article
- the new Highway Garage will be located near North Road close to the current transfer station
- construction of a new bi-level transfer facility is included in the funding
- over \$100,000 will be saved on the project as a result of having highway crew complete some of the site work
- the highway garage includes five bays in the front, a larger bay in the back, office spaces for both highway department and the water district, and storage areas
- the \$1.1M bond will be paid down over 20 years at an anticipated rate of 3.75%
- site work at the location is estimated at \$437,000; building costs are \$984,000.

In subsequent discussion, Endres read aloud a letter she wrote to the Selectboard and taxpayers covering a wide-range of topics, response to some of which she has already received, and summarized as follows

- in addition to the \$1.1M bond, there is also an \$185,000 article on the Shaftsbury School District ballot to fund air quality improvements in the school
- although Act 46, the school district consolidation legislation issued by the state, might have as a goal to “equalize taxes” within the consolidated school districts, Shaftsbury already has one of the lowest long-term debts, and merging with MAU or Arlington would force the town to assume the debt of those districts which would also raise taxes
- Shaftsbury is a “community of elders”, 75% of whom are on fixed incomes and many residents are already in a situation where they “cannot afford to continue living here”
- school and town taxes have been increasing year after year
- budgets should be developed based not on a “wish list but on a needs list”
- the highway department garage currently proposed is larger than the garage proposed in previous years
- are there expenses other than site preparation and building construction that have not been included in the proposal?

- Shaftsbury has 53 miles of “back roads” (which are dusty, pot-holed, and washboards in summer; impossible for buses and safety vehicles in the Spring; and sanded on corners only in winter) and wouldn’t it make sense to pave over these roads, at one mile per year, using the town reserve/sinking funds, and finish the project in 50 years?
- improving road conditions would decrease liabilities to the town
- there should be an appropriation in the FY18 budget to fund improvement of Class 3 roads
- residents have the right and responsibility to report impassable roads to the state

and asked that her letter be “read into the record” of this meeting, and provided Dailey with a copy of said letter. Endres received a round of applause for her comments, questions and stated concerns. In subsequent discussion, residents, board members and town staff variously responded that

- the Highway garage is more than 60 years old and is now in need of substantial renovation
- given competitive bidding, the final cost of the garage may be less than the estimated cost
- there are no figures presented to be able to compare the costs of maintaining the proposed new facility (heat, electricity, insurance, etc) versus the costs for the current building
- both short and long term interest rates are expected to increase, and it makes sense to do this now, especially in recognition that the “building we have now will fail” (Gardner)
- “bad roads are not a road crew problem, its nature: we live in Vermont” (speaker not identified)
- there are some instances in which roads have not been built properly, and the town has underfunded road maintenance for years
- road work should be completed now “while dollars are still cheap and we can do it right” (speaker not identified)
- the board should consider the use of solar power for the new garage
- the board also needs to focus on how to reuse the current Cole Hall garage and location if the vote passes, and should also consider how to remediate the current location without relocating (which might be a lot cheaper).

In closing comment, members of the Selectboard variously noted that

- the town pays rent for the land on which the current garage is located
- the estimates presented are from the engineers, and actual costs may change once bids are received
- it’s imperative to have a heated facility to be able to spread sand (not frozen), wash down vehicles, etc
- the bi-level design of the transfer area will allow residents to dispose of trash without having to climb ladders or to do a high-toss.

Ballot Article 7- Zoning Bylaw Revision: *Shall the Town adopt the zoning bylaws draft approved by the Selectboard on January 30, 2017, correcting various inconsistencies, clarifying the language, aligning with state statutes, and including a clarification of the Sign Ordinance regarding lighted signs?* Scoggins reported that this year-long zoning by-laws “re-write” included

- consolidating 36 years of amendments
- eliminating sections made irrelevant by new state laws
- rewriting confusing or redundant language
- “softening” some of the Conditional Use requirements in commercial districts
- renaming the Village Commercial Zone to Village Center Zone to reflect a high density, mixed use area typical of most village centers
- rezone of Paran Acres from Rural to Village Residential
- expansion to include restaurants in Roadside Commercial District
- expansion of permitted uses in Forest and Recreation Districts
- creation of a new User Guide summarizing permit process and what’s allowed in different zones.

Ballot Article 8 - Stabilize Town Clerk Compensation: *Shall the Town Clerk be compensated by salary in lieu of any statutory fees allowed under 32 VSA 1401?* Scoggins noted that passing this article would mean that

- the Town Clerk will be paid a flat salary
- any and all fees collected by the Clerk will be deposited into the Town's general fund.

Ballot Article 9 - Availability of Annual Town Report: *Shall the Town provide notice of the availability of the annual Town Report by postcard or letter, mailed to all residents at least 30 days before the annual meeting and in lieu of mailing or otherwise distributing the report to the residents of the Town pursuant to 24 VSA 1682.* Scoggins noted that if this article passes

- the annual report would be mailed to residents, on request, at no charge
- there would be a savings of a "few thousand dollars"

Ballot Article 10 - Interest Rate on Overdue Water Bills: *Shall the Town vote that water charges will bear interest at a rate of one percent per month or fraction thereof for the first three months, and thereafter one and one half percent per month or fraction thereof, from the due date of such charges pursuant to 24 VSA 5151(c)?* Scoggins suggested that this article continues efforts to reduce water bill delinquencies.

Ballot Article 11 - Close Grader Reserve Fund: *Shall the Town deposit the Grader Reserve Fund into the Equipment Reserve Fund, in accordance with 24 VSA 2804(a)?* Scoggins noted that passage of this Article would

- close the legacy fund
- allow future equipment purchase from Equipment Reserve without debt

Ballot Article 12 - Community Appropriations: *Shall the town appropriate various sums to 25 different community or regional service organizations?* These items were separately detailed in the Warning of the Annual Meeting, pages 13-14.

Citizen Comments:

- We the People of Shaftsbury:* Maureen McClintock noted that a group of about 50 residents, naming themselves *We the People of Shaftsbury*, are "concerned about the direction in which the country is going". After asking members of that group present at the meeting to stand, McClintock read aloud the mission of the group which is
To protect and advance America's fundamental values and the rights granted to all by our Constitution through open, honest, respectful dialogue and action
and invited everyone interested to join the next meeting of the group 3/16/17 at Cole Hall.
- Derelict Property:* Janesk noted that construction of the new highway garage will also provide opportunity to "clean up some derelict property" near the site, a comment greeted with a round of applause.

At 9:50pm, and after

- calling for but hearing no further comments, Daily reminded voters that the polls will be open at the Buck Hill Road Fire House 7am-7pm Tuesday March 7, 2017
- a motion was made and seconded to adjourn the 2017 Town of Shaftsbury Annual Floor Meeting, and, by voice vote, the motion carried unanimously.

Respectfully Submitted,
Richard G. Bump