

Town of Shaftsbury Selectboard Regular Meeting Tuesday, January 7, 2014

Members Present: Karen Mellinger, Carl Korman, Mitchell Race, Ken Harrington, Tim Scoggins, Margy Becker

Others Present: Terry Stacy

5:00PM Budget Workshop

1. Review of FY15 Budget

The Selectboard reviewed the last draft of the 2015 budget. There was a quick overview of the budget, and Karen Mellinger stated that if board accepted the changes from the last discussion, and there were no other changes, then the current budget called for a three cent increase on the tax rate which would amount to increase of 2.89% from the previous budget year.

The Selectboard noted proposed FY 15 expenses include a \$40,000 allocation for the fire truck fund, and \$75,000 towards the garage reserve fund. The community will have an opportunity to vote on these proposed set-asides.

The Selectboard spoke of ways to utilize the fund balance to the Town's advantage while keeping an amount that would not be tremendously affected by borrowing against it.

Margy Becker stated the voters had authorized the Town to set-aside up to 15% of the operating budget into the fund balance reserve fund.

The Selectboard studied line # 81 of the budget in regards to the town recreation fund and pointed out that a plan for writing a recreation grant was currently in the works. Currently there was a balance of \$5500.00 in the recreation reserve fund.

The Selectboard focused on line #104, #136, and #244 regarding health care for town workers, and agreed upon a change from a 10% to a 5% increase in premium costs for the second six months of the insurance year.

Karen Mellinger inquired whether or not the quarterly amounts for state highway aid have increased as noted in the budget to be a total of \$160,000. Margy Becker retrieved information. The current projected total was set at \$155,000.

There was a question presented to the Selectboard regarding the Grandview Cemetery, as Tim Scoggins pointed out its North Bennington location. He asked what the Town's obligation to the cemetery are. Karen Mellinger responded by noting that it is physically located in Shaftsbury and that the Association in charge with taking care of the cemetery is funded currently, in part, by the Town of Shaftsbury.

Carl Korman inquired about the rights of town residents to be buried in the cemetery, as its

caretaker organization has a Bennington address, yet is taken care of by the Town of Shaftsbury. Karen Mellinger determined that residents are allowed to be buried at the cemetery, and that there are current former residents who reside in the cemetery. Carl Korman noted that the cemetery is not listed as a current burial ground for residents of the Town.

There was a discussion about the Association taking care of the cemetery. It was noted that the Association came to the Selectboard a few years ago with a proposal to care for the cemetery with the assistance of funds from the town. The Association has experienced financial hardship, which threatened its ability to care for the cemetery. Primary duties of the Association included caring for the cemetery headstones.

Carl Korman determined that if the Town is paying to maintain the cemetery, it should therefore be presented as a burial option to residents. He also pointed out there was little to no information on the Association's FY15 Request for Appropriation form regarding what the Association does with the monies it receives from Shaftsbury. Tim Scoggins noted they did not mention the amount of their annual expenses in their report to the Town.

Mitchell Race suggested the Selectboard make a change in the appropriation to the Grandview Cemetery Association. Karen Mellinger said this was a possible action the Board could take, yet doing so could present future problems to the Association in its efforts to care for the cemetery.

Carl Korman cited State statutes specifying that all lands owned by or held by, and all funds and all property held by the Association, may be transferred to the town which lands are located upon. The law also noted how the town shall hold funds in trust in the event the cemetery association dissolves and the town takes control of cemetery maintenance.

Carl Korman requested that he would like more information from the Grandview Cemetery Association in order to know if it has non-profit status. He also expressed interest in knowing how funds were being handled .

The Selectboard held a discussion and went around the table to ask each member if there were any suggestions on ways to decrease the proposed FY15 budget.

Ken Harrington had a question regarding the Town's obligation to replace the 2006 International truck located within the highway equipment and maintenance portion of the budget. There was a discussion on ways to repair the truck as opposed to replacing it.

Tim Scoggins asked Ken Harrington if he agreed the Town needed to purchase the amount of gravel proposed in the budget. Ken Harrington stated he believed that the amount of gravel was potentially excessive in his opinion.

Ken Harrington made a suggestion concerning the tractor used for plowing sidewalks. The current salter is questionable, as it has been repaired and modified numerous times. There is a question as to whether the tractor itself could be attached to a new salter if replaced. Karen Mellinger noted that the situation in its current state calls for a replacement.

The Selectboard agreed final resolution needed to be agreed upon as to whether to replace the sidewalk machine in the current budget year, and the need for a discussion with Road Foreman

Terry Stacy was noted. Karen Mellinger noted \$1,000 was currently in the fund for equipment replacement, and that selling the tractor could offset the cost of purchasing a used machine.

6:30P.M. Regular Business

1. Call To Order

Meeting was called to order by Karen Mellinger at 6:45P.M.

2. Conflict of Interest

None

3. Approval of Minutes

Motion to approve Town of Shaftsbury Selectboard Minutes for December 30th, 2013. Moved by Carl Korman/Mitchell Race 2nd. Motion carried unanimous (5-0-0).

Mitchell Race corrected the section which mentioned Tim Scoggins absence, and corrected the portion where it presumably mentioned Mitchell Race being absent.

Mitchell Race revised the section which cited concern of State Park Road.

4. Warrants

Motion to approve Retirement Warrant in the amount of \$6,030.52. Moved by Carl Korman/Mitchell Race 2nd. Motion carried unanimous 5-0-0.

Motion to approve Payroll Warrant #14R in the amount of \$67.80. Moved by Carl Korman/Tim Scoggins 2nd. Motion carried unanimous 5-0-0.

Motion to approve Check Warrant #20 in the amount of \$129,636.07. Moved by Carl Korman/Mitchell Race 2nd. Motion carried unanimous 5-0-0.

Items over \$1,000: American Rock Salt Company, Barney Construction, Arlington Rescue squad, Blue Cross, Bennington Free Library, Bennington Free Clinic, Bennington project Independence, BROCC, Cartographic Technologies, Daley Construction, Grand View cemetery, Bennington Habitat for Humanity, GMP, John Ray & Son, Hospice, Mountain Air Assessor, McCulloch Library, Kevin O' Toole (tax attorney), Park McCulloch, Delinquent Tax Collector, Shaftsbury Historical Society, Taconic Range Appropriation, Vermont Ctr. For Independent Living.

5. Announcements

None

6. Public Comments

None

7. FY15 Budget Discussions Cont'.

Terry Stacy joined the Selectboard to discuss the budget items regarding the highway department.

The Selectboard discussed the status of the sidewalk machine, as it is currently experiencing mechanical trouble again. The discussion also included the suggestion of buying a new (used) sidewalk machine as opposed to repairing the existing machine owned by the town.

Terry Stacy indicated that he knew of a commercial grade used sidewalk machine for sale with low hours that included a salter, snowblower, and snow blade. He said he would make a trip to see if it was worth purchasing for the town. The Selectboard authorized Terry Stacy to follow up on the matter.

The Selectboard continued to discuss how to finance purchasing a new used sidewalk machine, and it noted that there was \$5,000.00 in the current FY14 budget towards the possible purchase. The \$5,000 appears as a transfer into the equipment reserve fund. Karen Mellinger also pointed out that if voters approved the FY15 budget, the Selectboard would have \$11,000 to work with overall for highway equipment.

Ken Harrington questioned Terry Stacy about reported torque issues with the 2006 International truck. He inquired whether that was the only real problem known. Terry Stacy replied that there are numerous issues with the truck and to put money into further vehicle repairs would be cost prohibitive.

There was discussion regarding the fire truck reserve fund, and it was noted in the past (2006) there was enough in the fund to purchase one truck outright and lease a 2nd vehicle. Karen Mellinger informed board members that once the Town paid off the truck in full, the Town was to begin setting aside that amount (approximately \$40,000) into the fire truck reserve fund towards a future purchase. But the reserve fund set-aside for the fire truck was omitted from the FY14 budget.

The total projected expenditures in the FY15 budget was reported to be \$2,001,065, which would reflect a 7.9% increase in expenditures from the FY14 budget year.

Margy Becker commented she had talked to the Fire Chief about a replacement schedule for fire trucks. The replacement plan is based on a 15 year replacement plan. A 20 year life span projection was recommended by the Selectboard. The Board discussed lowering the set-aside for the fire engine to \$35,000.

Tim Scoggins suggested that the \$5,000 decrease coming from the fire truck fund should instead come from the garage fund. Karen Mellinger was hesitant to the idea, and cited a need for a new garage as a current priority.

The Selectboard clarified that \$76,000 was in the fire truck reserve fund overall.

The Selectboard repeated the bottom line expenses in the budget totaled \$2,001,165, of which

the amount to be raised by taxes totaled \$1,420,231.

Motion to approve budget of total expenditures for FY15 budget in amount of \$2,001,065. There would be a percentage increase of 7.9%, and amount to be raised in taxes in the amount \$1,420,231. Korman/Race 2nd. Motion carried unanimous 4-0-1. (Harrington absent).

The Selectboard requested the minutes should reflect that Ken Harrington had the opportunity to voice approval or dissent of the FY15 budget as he excused himself from the meeting due to an emergency. It was understood that he supported the changes and amendments to the FY15 budget to be approved by the Selectboard.

8. FY14 YTD – Salt, Sand, Gravel, Overtime

Margy Becker reviewed the numbers regarding the budget allocations for the Town of Shaftsbury supply of salt, sand, and gravel. She also reviewed the hours of overtime regarding the highway department and its need for overtime during the winter storm period. The current winter sand budget was set at \$50,000, and that the current expenses to-date for the winter sand budget totaled \$28,000.

The gravel budget was set at \$65,000, and gravel expenses are currently at \$49,000. The Salt budget was set at \$37,000, and current salt expenses total \$17,067.

The Selectboard discussed how the Town handled the highway department regarding overtime as the Selectboard noted that there was a current system set in place where if the town knew of a storm the day before, that the workers would be sent home a little earlier to offset the amount of overtime required to maintain the roads during the winter season.

9. Preparation of Warning for Town Meeting March 2014

A warning for the Town of Shaftsbury Town Meeting was being drafted by Margy Becker. Issues of importance to be noted included issues regarding town taxes, town Constables, hourly rates of town officials, and the need to address the issues posed by the Town's current status pursuant to Title 24 (VT Planning/Zoning Statutes) as a "rural town". A "rural town" requires voters to adopt zoning bylaws and amendments.

The town attorney has informed Margy Becker of a two year statute of limitations to challenge defects in procedures for adoption and amendment of zoning bylaws. The Town Attorney has recommended that any bylaw amendments adopted by the Town within the past 24 months should be presented to the voters. Or the Town could ask the voters to reconsider its status as a "rural town". An urban town is authorized to adopt or make changes to its zoning bylaws by majority vote of the Selectboard or City Council, etc.

There was a discussion regarding the Selectboard's adoption of the zoning amendment for industrial composting.

The Selectboard discussed the role of the town Constables and noted that when a town has elected a constable who happens to be a fully certified law enforcement officer, then the

Constable can perform law enforcement duties within his town as he wishes, and that he would come under supervision of no one in town if elected to the position.

The Selectboard discussed putting a question out to the community as to whether it would like to elect rather than appoint a town Constable, and whether or not to make it a multi-year position.

Mitchell Race said he felt that the position of the Constable should be a multi-year position based on having continuity between the town and the Constable who is elected. Karen Mellinger expressed interest in getting the townspeople's opinion in terms of what they wanted from their town Constable.

10. Discontinuance of Donald Greene Road TH83

The Selectboard discussed the discontinuance of maintenance to Donald Green Road, as it was understood by the Selectboard that the road served a private residence only – now owned by Peckham Corporation. Margy Becker informed the Selectboard that contrary to what was originally thought, there are two landowners that must be notified of the Town's intent to discontinue. She will set a Selectboard public hearing date and provide statutory notice to the parties.

11. Town Administrator Report

None

12. Other Business

None

13. Adjournment

Meeting was adjourned at 8:45PM.

Submitted by,
Shawn Sterling