

**Town of Shaftsbury  
Selectboard Meeting  
6:30 PM  
Monday, October 20, 2014  
Cole Hall, 61 Buck Hill Road, Shaftsbury**

**Selectboard Members Present:** Tim Scoggins, Mitch Race, Ken Harrington,  
Tony Krulikowski, Art Whitman

**Members Absent:** None

**TA Present:** David Kiernan

**Others:** Jim Boyle, Larry Johnson, Bill Fisk, Ben Hulett,  
Lexey Covell, Terry Stacy, Jay Palmer

**6:30PM Regular meeting**

**1. Call to Order**

Meeting was called to order by Tim Scoggins at 6:30 pm.

**2. Conflict of Interest Statement**

No conflicts of interest.

**3. Approval of Minutes**

Motion: Tim Scoggins makes a motion to approve the minutes from the Selectboard Meeting of October 6, 2014 with Tim Scoggins' additions. Tony Krulikowski 2nds. 5-0-0. Motion passes.

**4. Warrants**

Motion: Tim Scoggins makes a motion to approve retirement warrant for \$117.42. Mitch Race 2nds. 5-0-0. Motion passes.

Motion: Tim Scoggins makes a motion to approve PR8R for retirement in the amount of \$126.32. Mitch Race 2nds. 5-0-0. Motion passes.

Motion: Tim Scoggins makes a motion to approve the payroll warrant ending 10/3/14 in the amount of \$18,793.61. Mitch Race 2nds. 5-0-0. Motion passes.

Motion: Tim Scoggins makes a motion to approve a Check Warrant #8 in the amount of \$35,785.29. Mitch Race 2nds. 5-0-0. Motion passes.

**5. Announcements**

None.

**6. Public Comments**

None.

**7. Lister's Report (Jim Boyle)****a. Errors and Omissions**

Lister Jim Boyle asked the Selectboard to approve an Errors and Omission change to the Grand List for a property on Glastenbury Road property because the owner was not properly notified about the hearing.

Property was purchased for about \$68,000 less than for which it was assessed. The Listers are accepting the higher number from the appraisal (completed by Rich Goodfellow) rather than the purchase price. The appraisal seems to be a good, true value. Selectboard approval is needed for change.

Motion: Tim Scoggins moves that the Selectboard accepts the Listers' recommendations to reevaluate the property for Ann Whalen (sp?) under an errors and omission, reducing the value of the property from \$189,700 to \$120,000. Art Whitman 2nds. 5-0-0. Motion passes.

**b. Mapping Program**

The Listers would like to make the mapping program available to the public around December 1 of this year.

Jim Boyle explained that the tax maps were digitized and are able to be put online.

The Listers are asking permission from the Selectboard to mapping program online. For the first stage, only basic information included will be the owner's name, address, and valuation. For a second stage, the lister cards would be put up.

Abutters lists can be created from this program.

Disadvantage: Are we affecting people's privacy?

Jim Boyle explained that there would be a disclaimer listed although information would be updated regularly.

This system is cloud-based from a company contracted with and will not affect the Town's computer server.

Mitch Race: Can you give us a demo of live data?

Jim Boyle answers yes.

Motion: Art Whitman moves to put basic information about property from the Listers digitized system on the web available to the public. Tony Krulikowski 2nds. 5-0-0. Motion passes.

**8. Treasurer's Report (Bill Fisk)**

Bill Fisk stated the Budget Status reports distributed by David Kiernan do not include the warrants from this meeting. All else is reflected to date.

Taxes are being collected now. Approximately \$1,430,000 was billed in property taxes.

Total revenue is \$1,457,000.

About \$98,000 has been received in intergovernmental revenue. State Highway payment will come in late in the fiscal year.

Tony Krulikowski asked how the Common Cap is assessed.

Bill Fisk answered that on the value of property, assistant judges as county commissioners determine budget and prorate. The Town gets a bill twice yearly.

Mitch Race stated that he missed something on the Delinquent Tax Cell.

Bill Fisk stated that we have collected 20% of taxes so far and we are waiting for reimbursement on the White Creek project.

\$340,000 borrowed on tax anticipation notes, which will be spent in upcoming warrants.

**9. Zoning Bylaw Changes**

David Kiernan reported that the ads are out. November 3<sup>rd</sup> will be the open public meeting.

This will be the final wording to the zoning change laws that will be voted on March 3<sup>rd</sup>.

The statutory requirement is for another meeting. That will be the November 3<sup>rd</sup> meeting.

Mitch Race asked if Planning Commission members will be at the meeting.

David Kiernan said that he had not heard.

**10. Emergency Generator Status**

Ben Hulett addressed the Board.

Tim Scoggins gives the background: Over a year ago, Shaftsbury Elementary School (SES) received an emergency generator from the School District essentially free.

SES is a designated emergency shelter for the area. Emergency generator could supply power in an emergency for people seeking shelter at the school

The generator was placed at school with help of Ben Hulett, Peckham, John Cereta, and others.

Selectboard could not budget for the installation cost of \$30,000. The school was unable to pay half.

Much of the money was not spent at the end of the fiscal year. Money has since been spent to buy equipment for the install.

School Board and Town have recently agreed to pay the final installation cost. The Town will pay \$6500 and the School will pay \$6500.

Ben Hulett has been communicating with the Board about the bidding process.

Ben Hulett stated that the donation was temporary. They were to be paid when the \$15,000 came in.

Ben Hulett would like to review a copy of the bid solicitations. He was not asked to give a bid after working on the initial project.

Ben Hulett would like to know the scope of the generator function. "Whoever does this should be a true engineer."

Ben Hulett asked how were the bidders selected and solicited.

David Kiernan stated that \$9,000 of the total budget from last year was spent. Parts were purchased from some of the remaining budgeted money.

Tim Scoggins stated that Ben is right, if the Board had a \$30,000 job, they would have to put it to formal bidding process and the public would be warned.

For a job that is under \$10,000 but over \$3,000, it is not a formal process.

Ben Hulett asked how many bids were received.

The Selectboard sought bids from three vendors: Carpenter, Meyer and Hulett.

Ben Hulett said he never was asked to bid.

The Selectboard was led to believe that Hulett was asked.

Tim Scoggins stated he believes that would be poor form on the part of the town to accept free labor from a contractor and then not invite that contractor to bid. The fact that happened is regrettable. The Selectboard has a high opinion of people who donate labor to the Town.

Jerry Mattison, the Emergency Management Coordinator, got his church to donate \$1,000.

Tim Scoggins: We did not ever spent \$30,000 on this project.

At each step, a motion was made by the Selectboard at each step of the process

Tim Scoggins: We all wish that the generator project had gone differently. We ended up with a piecemeal process.

In the purchasing policy, there is a provision for Emergency Purchases. One criteria is “significant inconvenience.”

Art Whitman is concerned that Ben Hulett was told he would be paid.

Mitch Race asked if Ben Hulett was solicited for unpaid time.

Tony Krulikowski: “Ben, who told you (that) you would be compensated.”

Ben Hulett answered, “The School’s groundskeeper.”

Terry Stacy recalled that Jerry Mattison thought there would be a grant to pay the bill.

Art Whitman: “I do not believe the State Fire Marshall would allow this to be put in wrong.”

Tony Krulikowski: “Ben, did you get...I don’t think anyone intended to exclude you from this process.

Tim Scoggins thanked Ben Hulett for coming.

Motion: Tim Scoggins moves to spend up to \$6,500 to complete the generator installation job if the School would pay the other half. Tony Krulikowski 2nds.

Discussion: Art Whitman asked if this is a Memorandum of Understanding. Tim Scoggins answered there is a Memorandum of Understanding, but that will be covered shortly.

5-0-0. Motion passes.

Motion: Tim Scoggins moves that the contract is awarded to Myers Electric (for installation of the generator). Mitch Race 2nds.

Discussion: The bids are public knowledge. Allowing others to bid at this time would put those who have already bid at a disadvantage.

4-1-0. Ken Harrington voting no.

Memorandum of Understanding between Town and School is presented. It states that the generator was acquired at low cost and it benefits both Town and School. Town is

responsible for maintenance. School is responsible for maintain insurance and providing electricity and fuel.

Mitch Race: Do we know what the maintenance schedule should be on that? Most generators have a yearly maintenance schedule.

David Kieran stated there is a contract in place to maintain the generator.

Mitch Race: I want to know what insurance covers. Is it replacement value or value?

Tim Scoggins: Do you feel you would decide to enter into this agreement or not based on the insurance.

Mitch Race: I would like to know if it is a \$100,000 generator and it's 10 years old, what would they give.

Tim Scoggins would like to see this placed for the winter.

Motion: Tim Scoggins makes a motion that Selectboard approves the Memorandum of Understanding between the Town and the School to get the generator placed.

Tony Krulikowski 2nds.

Discussion: This motion will not stop the project from going forward. Mitch Race stated concern over maintaining the generator.

4-1-0. Mitch Race voted no. Motion passes.

## **11. Solid Waste Implementation Plan**

David Kiernan gave an update.

The meeting next Monday will discuss a Solid Waste District versus a Solid Waste Alliance.

An alliance will give the Town more administrative duties. A district will have the day-to-day operations out of the Town, but Town cannot control fees.

This might also be a ballot questions since it will be affect zoning changes.

## **12. Road Foreman Update**

### **a. White Creek Road**

White Creek Road is completed to the specs of the state. The lines are on (painted lines). Town is waiting on reimbursement from the State.

### **b. Salt Shed Update**

Next week—Wednesday night (is the DRB meeting).

Terry Stacy has received warning letters from suppliers to order salt now.

Tim Scoggins stated that the intention for the salt shed is to double capacity from 60 tons to 120 tons.

c. Buck Loader

A John Deere 644 is available for purchase from military surplus. Purpose of this vehicle will be load salt and sand on the trucks faster.

Terry Stacy spoke with the head mechanic at the base who stated the vehicle is in better shape than the listing states.

David Kiernan asked if this listing could be updated. Can a written confirmation of the real condition of the machine be obtained.

Motion: Art Whitman makes a motion to purchase this military surplus equipment for \$500, plus \$1,000 in transportation fees. Ken Harrington 2nds.

Discussion: Tim Scoggins opposes. This is not a critical piece of equipment. Tim Scoggins asked if we could wait for a better opportunity.

Jay Palmer stated that someone should go down to Maryland to look at it.

Motion: Art Whitman makes a motion to postpone this purchase until equipment is looked at. 5-0-0. Motion passes.

d. Road Salt Purchase

44 Tons is on the way.

**13. Town Administrator's Report**

a. Great Western Financial 457 Plan

Great Western Financial 457 Plan will be available for all employees—part-time and full-time. Another retirement plan for employees to contribute.

Town makes no contribution.

Art Whitman asked if we have other plans. David Kiernan stated that this is a backup to VMERS.

Art Whitman stated, "So, we have not set IRA or simple IRAs?"

David Kiernan answered no.

b. Request for Town to Take Over Road

There is a request from some residents for the Town to take over Bahan Road. There is a 1999 policy stating a road must be built up to current state specs before the town

will take it over. The road has 5 houses on it; 3 is the minimum required by the 1999 policy.

c. **Truck Lease**

Attorney Rob Woolmington asked that the document giving his opinion of the lease contract be read into the record. Tim Scoggins read the wording aloud.

Motion: Art Whitman makes a motion to approve and sign Woolmington's opinion as read. Mitch Race 2nds. 5-0-0. Motion passes.

David Kiernan would like to change the process for purchasing vehicles. For the next round, look at holistic purchase of vehicle and financing.

Tim Scoggins asked that David Kiernan put this new process in writing. It was commented by several that the board's intention is to begin again saving for capital equipment so that similar borrowing in the future will be smaller and shorter termed. At such time other financing options, such as a bank loan, will likely be pursued.

**14. Other Business**

Mitch Race asked if Bob (Holmes) sent the appropriation letters. They are to go out November 1 for December 1 deadline.

David Kiernan will speak to Bob Holmes.

**15. Review of Action Items**

- Tim Scoggins will find out about replacement insurance from the School
- David Kiernan will find out if a town vote is needed to vote for a solid waste alliance or district.
- Terry Stacy will inspect the back loader.
- David Kiernan will find out about appropriation letters.

**16. Executive Session to Discuss a Real Estate Transaction**

At 9:20, the Board moved to executive session. Executive session ended at 9:30.

**17. Adjournment**