

**Town of Shaftsbury  
Selectboard Meeting  
6:30 PM  
Monday, February 16, 2015  
Cole Hall, 61 Buck Hill Road, Shaftsbury**

**SUBJECT TO APPROVAL**

**Selectboard Members**

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

**Absent:** None

**TA Present:** David Kiernan

**Others Present:** Terry Stacy, Oliver Durand, Carol Minke, Larry Browe, Deena Ruege

**6:30PM Selectboard meeting**

**1. Call to Order**

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

**2. Conflict of Interest Statement - NONE**

**3. Approval of Minutes**

Motion: Mitch Race moves to approve the minutes as circulated from the February 9, 2015 Select Board meeting as circulated.

Discussion: Mitch Race requested a change to item #10.

Tim Scoggins read the item and noted that the change of the date was for 90 days.

Mitch Race stated he requests no further change.

Tim Scoggins 2nds approval of minutes with change noted. 5-0-0. Motion passes.

Motion: Mitch Race moves to approve the minutes from the January 20, 2015 Select Board meeting as amended and circulated.

Mitch Race asked that in Item #12 the word "policy" is to be added after "appointment" to read "appointment policy." That copy was signed for clerical purposes.

Tim Scoggins 2nds approval of minutes with change noted. 5-0-0. Motion passes.

**4. Warrants**

Motion: Tim Scoggins makes a motion to approve Check Warrant #17 in the amount of \$47,647.25 Mitch Race 2nds.

Discussion: Items include payment for rock salt, medical insurance, Sheriff, heating oil, a part for the backhoe, and to Inkspot Press for printing the Town Report,

5-0-0. Motion passes.

**5. Announcements**

**i. Letter of Support Deadline 2/16/15**

No Letters of Support were received for candidates for the Development Review Board. There are no candidates for the two Planning Commission vacancies.

The Select Board discussed if those candidates who are being reappointed for the Development Review Board (and in the future, the Planning Commission candidates) should

be interviewed. The decision is to interview the candidates at the March 16th Select Board meeting.

#### **Other Announcements**

- Mitch Race announced that he will be out of town during Town Meeting. Overall, he stated the budget is good and should be voted for.
- The Road Crew requests residents not to plow snow into the roadways.

#### **6. Public Comments**

Carol Minke, a resident of Tinkham Road, discussed a barking dog situation in her Tinkham Road neighborhood. She feels she is unable to sell her property because of the barking dog issue. The barking of hound dogs begins before 7 AM. It is believed that there are two dogs.

Neighbor Larry Browe stated during the summer months, he would hear the dogs bark for seven hours a day.

David Kiernan will look into what can be done.

#### **7. Treasurer's Report**

The Treasurer was unavailable.

#### **8. Opening roadside mowing bids**

Only one bid was received for summer roadside mowing. The bid was from Hosley of Manchester for \$20,500; the budget is for \$15,000. This is \$5,500 over budget. Half of the payment can be paid from Fiscal Year 2015 budget, and the other half can be paid from the Fiscal Year 2016 budget.

Estimated amount of time to complete the task is three weeks for 2 times during the summer. Mowing will take place in June and September.

Art Whitman noted that Hosley is professional.

David Kiernan stated that this is six weeks of work being completed with a piece of equipment the Town cannot afford.

Motion: Art Whitman moves to accept the bid for Hosley for roadside mowing for the summer. Mitch Race 2nds. 5-0-0. Motion passes.

#### **9. Road Foreman Update**

Road Foreman Terry Stacy addressed the Select Board.

In a discussion of using stones on the road at a recent meeting, Terry Stacy clarified that 3/8-inch stones are being used, not 3/4-inch stone as previously stated.

Half-inch stones or less would be preferred but they are more expensive. The Town my approach Dailey's to ask if they can crush the stone. The Town of Dorset has a Grizzly grinder to grind the stones they use on the roads.

The board decided to use 3/8-3/4" stones on gravel road instead of sand and salt. Stones can be used without salt. Salt is getting expensive and hard to obtain. Other towns, like Dorset, use stones exclusively on gravel roads.

**a. Overtime Compensation for Road Crew**

The Town is currently \$7,015 over budget for overtime pay because of the winter storms and the mud problem during the holidays.

The Road Department has agreed to take comp time as compensation instead of overtime pay.

David Kiernan suggested that the maximum amount of comp time will be 2 weeks or 80 hours to be taken before the end of the fiscal year, June 30.

Art Whitman expressed concern that the Road Department will be short-staffed during grading season.

The days off will be approved so that the Road Department is not short-staffed.

53.33 hours of time and a half overtime pay is the equivalent of 80 hours of regular pay.

This compensation can be revisited as the Crew reaches the maximum amount of comp time allowed.

Motion: Mitch Race moves to allow the crew from overtime to comp time up to 53.33 hours of overtime hours, which is the equivalent of 80 hours of straight pay. Tony Krulikowski 2nds. 5-0-0. Motion passes.

**10. Report on Bennington County Solid Waste Alliance – Mitch Race**

Each town must pass an ordinance for Solid Waste haulers for variable rate pricing. Each hauler must register. Unregistered haulers will first receive a verbal warning, followed by a fine.

Haulers providing waste will be charge \$15 for a single-truck operation and \$50 for a fleet-truck operation.

Tim Scoggins asked what the point of the fee is. Mitch Race explained that the fee is for reporting and enforcement.

There is some confusion whether the haulers will pay one fee to all the towns or a fee to each town they serve. Mitch Race will get clarification.

The procedure for starting the ordinance will be started soon. The ordinance must be in place by June (this year).

The Alliance does not have taxing or policing authority. Individual towns will be responsible for taxing and policing the haulers.

**11. Town Meeting Preparations**

Preparations for Town Meeting have begun.

Tim Scoggins will give a presentation for the Select Board. He will check that presentation equipment is available.

That night—March 2nd—there will be a Select Board meeting at 6:00 pm at the school in a room to be determined. This will take place prior to the 6:30 pm School Board Meeting and the 7:30 Town Business Meeting.

The purpose of that meeting will be to sign warrants and adjourn. No further business is anticipated for that meeting. Public comments can be given at Town Meeting.

**12. Town Administrator's Report****a. Cole Hall Renovation bid #1 Bathroom and Heating work**

David Kiernan sent the Select Board a list of items to be fixed in the bathroom.

This includes replacing the flooring. The underside of the tiles is wet. Commercial linoleum and ceramic tile options will be explored.

Other items to be fixed are plumbing and heating, making the toilet ADA compliant, fixing the slop sink, framing window, and creating shelving.

As part of this project, a radiator will be put in the lobby, where there is currently a radiator cover but no radiator.

Insulation will be put in the bathroom.

Mitch Race asked if there is a Facilities Committee. It is believed to be inactive.

Motion: Mitch Race makes a motion to accept the description of work as circulated for repair and maintenance of the bathroom at Cole Hall. Art Whitman 2nds. 5-0-0. Motion passes.

**b. Additional Work: Cole Hall Reconfiguration of Office Space and Storage**

Reconfiguration of the office would allow privacy for the Treasurer and the Town Administrator.

Motion: Tim Scoggins moves to allow Town Administrator to move forward with the minor renovations in the Town Administrator/Treasurer's Office. 4-0-0. (Ken Harrington stepped away.) Motion passes.

No bids will be needed since the cost should fall less than \$3,000.

**c. Update Damaged Truck**

David Kiernan spoke to Wills insurance company about our new tandem truck that was damaged in a fire at the facility in Swanton that was painting the dump body. The Town's insurance company (Wills) is working with the contractor's insurance company to arrive at a settlement for the damage. It appears unlikely that the truck will be "totaled". Kiernan recommends that the truck be inspected by Delurey as they will likely be the ones doing any repairs in the future.

This Truck will not be in service this winter.

**d. Update VOSHA Inspection Garage**

Megawatts Electric will begin the electrical work next week.

12 of the 18 VOSHA recommendations have already been completed.

Three additional recommendations will be completed by Megawatts.

Jay Coonradt from the Fire Department will give Fire Extinguisher Training to the Road Crew. A welding screen will also be installed, although it was not cited during the inspection.

**e. Update on Around the Block Sidewalk Project**

No update at this time.

Paperwork should be completed soon and we should be ready to go to bid in March.

**Culvert in the Hollow/Other Road Information**

Ken Harrington asked about repairing the culvert in the Hollow.

Grant reviews are coming up. Paperwork will be filed for that and East Road for the paving grant. Airport Road will also be looked at and probably completed by the Town with the help of Peckham.

Repair work for Harvest Hills Drive has not been completed. Materials are available but the road has been snowed over and/or frozen, so work has not been completed.

**f. Discussion of Sick Day vs. Personal Day in Personnel Policy**

The sick/personal days will change from calendar year to fiscal year. This will align information with PayData, our payroll service.

Sick and personal time is not payable on termination.

Only 12 days may be carried to the next year. A maximum of 24 days can be accrued.

Tim Scoggins asked how these days would be handled for an employee who starts after the beginning of the year. David Kiernan explained that those days are prorated.

David Kiernan will discuss changing the wording for Comp Time on March 16<sup>th</sup>.

**g. Assignment of Lease on (former) McCarthy Property**

The McCarthy property has passed to a new owner. The lease was assigned by the former owner to the new owners. The Board must approve this assignment. Document must be notarized.

Motion: Tim Scoggins moves that the Board authorize the Select Board Chair to sign the assignment of lease on the McCarthy property over to the new owners, Wolf Creek Properties, Limited. 5-0-0. Motion passes.

**h. Howard Park Proposed Bids**

Estimates have been received previously. Items will be sent to bid: tennis court cleaning and resurfacing, removal of broken lights, replacement of electrical boxes.

Other major items are installing trail cameras, replacing the basketball backboards and rims.

The water fountain will cost over \$2,000 and the Water Department will install it.

There will be formal bids for these items.

A matching state grant was received for the park for \$20,000. The Town will match 50% or \$10,000.

**13. Other Business**

Ken Harrington reported that there is another dip in the road by Brownell's. Art Whitman stated that it may be frost heaves.

**14. Review of Action Items**

- Interviews for Development Review Board candidates will be scheduled for the March 16<sup>th</sup> meeting.
- David Kiernan will look into Dog Barking issue
- Mitch Race will get clarification on the Bennington County Solid Waste Alliance fee
- Exact place for March 2<sup>nd</sup> Select Board meeting will be planned at the School
- David Kiernan will rework wording for Comp Time for the Personnel Policy and present at the March 16<sup>th</sup> meeting.

- David Kiernan will get bids for the bathroom.
- David Kiernan will get work complete for renovations to the office
- Tim Scoggins will sign the Property Lease on behalf of the Select Board.

**15. Adjournment**

Motion: Tim Scoggins moves to adjourn at 8:35 PM. Ken Harrington 2nds. 5-0-0. Motion passes.

Submitted by: Jennifer McGean, Recording Clerk

Next meeting: Monday, March 2, 2015 at 6:00 PM in Shaftsbury Elementary School.