

**Town of Shaftsbury  
Selectboard Meeting  
6:30PM  
Monday, November 2, 2015  
Cole Hall, 61 Buck Hill Road, Shaftsbury**

**Selectboard Members Present: Tim Scoggins (Chair), Mitch Race, Art Whitman, Tony Krulikowski, Ken Harrington**  
**TA Present: David Kiernan**  
**Others Present: Melanie Dexter (Treasurer), Steve Washburn (Road Foreman)**

**SUBJECT TO APPROVAL**

**6:30PM Regular Meeting**

**1. Call to Order**

Tim Scoggins (Chair) called the meeting to order at 6:30PM

**2. Conflict of Interest Statement**

NONE

**3. Approval of Minutes**

Motion: Mitch Race moved to approve the minutes from the Regular Meeting on October 19, 2015. Ken Harrington seconded.

5-0-0 Motion approved.

Motion: Tim Scoggins moved to approve the minutes from the Water Board Meeting on October 19, 2015. Mitch Race seconded.

5-0-0 Motion approved.

Motion: Tim Scoggins moved to approve the minutes from the Special Meeting at Blueberry Hill Road on October 23, 2015. Mitch Race seconded.

3-0-2 Motion approved.

**4. Warrants**

Motion: Tim Scoggins moved to approve Warrant #12 \$120,695.24. Mitch Race seconded.

5-0-0 Motion approved.

Motion: Tim Scoggins moved to approve Retirement Warrant #14 \$125.18. Mitch Race seconded.

5-0-0 Motion approved.

Motion: Tim Scoggins moved to approve Payroll #9 \$18, 415.94. Mitch Race seconded. 5-0-0 Motion approved.

David Kiernan presented an additional Warrant to approve payment of the real estate taxes for the North Road property owned by the Town. Tim Scoggins informed that Selectboard that next year, the Town would apply for tax exempt status.

Motion: Tim Scoggins moved to approve that real estate taxes in the amount of \$823. 64 be paid to the Town of Shaftsbury on the North Road property. Mitch Race seconded. 5-0-0 Motion approved.

## **5. Announcements**

Mitch Race announced that the Development Review Board is currently seeking a new member and asked the public to submit letters of interest to volunteer on this Board.

Mitch Race also announced that the Shaftsbury Historical Society is accepting nominations for 2016's "Ordinary Hero" honor and that the nominations would be accepted through December.

Art Whitman announced that the Shaftsbury Town tree lighting ceremony would take place at Cole Hall on November 29, 2015 at 4:00PM.

Art Whitman then announced that the Economic Development Committee would be meeting on the second floor of Whitman's Feed Store on November 19, 2015 at 5:00PM. The Economic Development Committee will be discussing the application for a grant to develop a comprehensive vision for the Town of Shaftsbury.

## **6. Public Comments**

NONE

## **7. Treasurer's Report – Melanie Dexter**

Melanie Dexter presented the Selectboard with a report showing a very similar picture between FY15 at this time and FY16. There is \$1,650,660.21 in the Town's checking account as of November 2, 2015 but a large portion of that money is dedicated to school taxes, which will subsequently be transferred. Approximately \$2.5 million has been collected in tax receipts as of the date of this meeting.

Ms. Dexter issued some brief comments regarding the proposed FY17 budget, stating that there did not appear to be any substantial changes from FY16. Tim Scoggins asked about the State PILOT grant noted on Ms. Dexter's report and David Kiernan replied that it was "payment in lieu of taxes" for State-owned or managed land.

Ms. Dexter then addressed the issue of the bank fees charged to the Town on various accounts. She indicated that she had asked the bank (People's United Bank) for more information and they would be getting back to her. Ms. Dexter noted that there are services that are provided by the bank, including running special reports and calculating interest on the reserve funds, that may effect the fee structure. The Treasurer also uses a remote check capture machine in the Town Office for deposits.

Tony Krulikowski asked if the Town had considered moving banking to The Bank of Bennington, as they are locally-run and managed and may provide the needed services without additional fees. Melanie Dexter replied that she would look into it but that she knew that People's United Bank has three individuals dedicated to government services.

Art Whitman then asked if the Town is responsible for paying the school portion of delinquent taxes. Tim Scoggins said that the Town simply provides a service to the school and that the Town only passes on what is collected.

## **8. Road Foreman Report**

Steve Washburn began his report by stating that the crew had been able to put in a new culvert on Bahan Road and that the unusually nice weather would allow for more work to be completed before winter.

The major project the crew is working on right now is building the sand/stone./salt pile behind the current Town Garage. It was determined following a conversation with an abutting landowner that the Town could use the lot adjoining the garage for the storage of the winter mix treatment (5,000 tons). Tim Scoggins reminded the public that the material for this mix needed to be purchased from a Hoosick, New York vendor and the Town will need to truck it in prior to winter. David Kiernan also indicated that Peckham Industries is amenable to storing approximately 3,200 tons of the material on their site in exchange for the use of a piece of the Town's equipment for one day (with an operator).

David Kiernan pointed out that the cost of trucking the material in will most certainly put the Town over on the winter sand budget. The benefit to this arrangement is that the Town crew can continue to work on projects through the late fall while contracted tandems can move the material in.

Ken Harrington inquired if the permits for the new salt shed can be obtained in time for next winter at the North Road site. David Kiernan said that as soon as the FY17 budget is finalized, the Selectboard can start to discuss the permitting details for the new garage and salt shed. The salt shed is a crucial piece to the new garage plan as it will allow for less salt to be required to be mixed in to prevent the freezing of the stone and sand mixture.

Art Whitman commented that Mattison Road looked good after the use of the scarifier but noted that it took a long time to complete the work.

Ken Harrington inquired if the Town would be putting in a culvert on Holy Smoke Road. Tim Scoggins said it would be put on the to-do list for the road crew. David Kiernan indicated that there was more that needed to be done on that particular project, including some stumping.

## **9. FY17 Public Works Budget**

### **- Highway Administration**

David Kiernan began the discussion of the Public Works budget by discussing the wages for the road crew. The total wages are down from FY16 due to the reduction to a five person crew from a six person crew. These wages also include a part-time snow plow driver (a Town employee) to provide relief for the crew. This driver's wages were calculated at \$15 per hour for 34 eight-hour days for FY17.

Overtime was increased to \$17,823.00 at a 3% increase over FY16. It was noted that while the overtime wages went over in FY15, the prior year came in at just about \$10,000.00. The increase was based simply on a cost of living, as overtime is difficult to predict.

Health insurance for FY17 is increased by 6.6% but again saw an overall decrease due to the reduction in crew size.

Retirement is calculated based on State guidelines.

David Kiernan allotted \$500.00 for travel and meetings. If possible, Mr. Kiernan would like Steve Washburn and the crew to attend more trainings in the future.

The portion of budget for CDL/Drug Testing is mandated by the State.

Overall, Highway Administration is down 11% for FY17

### **- Highway Construction & Maintenance**

Subcontracting costs went up \$5,000.00 to \$22,500.00. This portion of the budget includes costs for an engineer to consult about various matters as well as the roadside mowing.

The allotment for signs went up \$500.00 to \$4,000.00 as Mr. Kiernan indicated that many of the signs, particularly on the back roads, are stolen (with some needing to be replaced multiple times). Some signs are close to \$100.00 to replace. Ken Harrington suggested that a trail camera be installed at points where signs are repeatedly stolen.

Tree removal was increased \$1,000.00 to \$5,000.00 as many dead trees have been found in the Town right of way. Steve Washburn informed the Selectboard that the road crew works in concert with Greater Heights Tree Service for removal. Tim Scoggins recounted

that during a conversation with the Tree Warden, he was informed that while ash borers have not yet been found in this area yet, they are coming and this will lead to more ash trees falling.

The budget for Bridges & Guardrails has stayed level at \$2,000.00.

Paving has now gone into reserves, and Operating Supplies were also moved to another category.

Gravel has been increased by \$15,000.00 to \$75,000.00 with Mr. Kiernan noting that this line item is just for routine maintenance and unrelated to Class 3 Road projects. At this point in the current budget year, the Town has gone through 61% of the gravel budget, with an eye toward repairs during mud season. Ken Harrington pointed out that the areas where fabric had been laid reduce the need for additional gravel being laid after winter. Mr. Kiernan agreed and said that fabricing projects are scheduled for Ehrich Road and Murphy Hill Road. Steve Washburn commented that by keeping the fabric covered, the life of the road is extended.

Mr. Kiernan then moved onto the calcium chloride budget, stating that in order to keep dust off the roads and to maintain road integrity, quite a bit of chloride does need to be used (twice a year at \$0.85/gallon). FY17 is showing \$50,000.00 for the chloride needed to stabilize the road.

The budget for winter salt remains level at \$48,800.00. It was noted that less salt should be used following the construction of the salt shed.

Winter sand is up \$5,000.00 to \$55,000.00. The budget this year is expected to be exceeded due to unexpected trucking costs. Tim Scoggins pointed out that with the planned salt shed, the sand can be trucked in periodically by the Town crew, saving on costs.

Level and sealing costs were increased by \$2,500.00 and this includes the rental of equipment needed to repair cracks and preserve the paved roads. Tim Scoggins proposed doubling the budget for level and sealing again the following year.

DI Cleaning is done only every other year and no money is allotted for FY17.

The budget for rentals has been increased to \$6,000.00, mainly for use of a vibratory roller and additional tandems for projects.

The culvert budget remained level at \$7,500.00 but David Kiernan debated putting that money into reserves instead. Art Whitman pointed out that if the funds were put into reserves, they did not necessarily need to be used in the same fiscal year.

Capital Improvements and money for the Town Garage are now in reserves.

The budget for the sidewalk (\$5,000.00) is used exclusively for maintenance and snow removal.

- **Equipment & Maintenance**

David Kiernan noted that not much had changed and that the line items were somewhat fluid due to needed repairs on various pieces of machinery.

- **Highway Garage**

Professional Services for FY17 dropped to \$0.00 as the Comcast service for the garage has been dropped and a wifi booster is slated to be put in to use the internet from Cole Hall.

Repairs & Maintenance had dropped to \$5,000.00 but it was noted that even with the construction of a new Town garage, maintenance would need to be performed on the current garage until such time as the new garage is ready (could be 2-3 years). David Kiernan mentioned that repairs would need to be performed on the roof. Tim Scoggins proposed that a construction trailer be moved on to the premises to be used as office space and a place where the crew can eat lunch away from the equipment and fumes. Another \$5,000.00 was added back into this line item, bringing the total back up to \$10,000.00, though Mr. Kiernan said he would look into more accurate pricing prior to finalizing the budget.

Regarding the line item of Operating Supplies, David Kiernan proposed eliminating the Televent System which is a paid weather service (approximately \$2,000.00) used by the road crew to predict weather patterns during storms and schedule the crew accordingly. Steve Washburn argued in favor of the system, saying that it provides a level of detail that is useful in scheduling during storms. Tim Scoggins pointed out that the service allows to schedule the crew by the hour rather than the day. Art Whitman stated that if the system saves the crew 20 hours of time every winter season, it would easily be worth it. It was determined that the Televent System is a useful tool and would remain in the future budget.

Utilities were calculated to be raised by 2% and the fuel was to remain at the same number as FY16.

According to the initial proposed budget, the Highway Garage portion of the budget would decrease by 15% but this would have to be adjusted with the addition of the funds for the proposed construction trailer.

The Selectboard then moved to a discussion regarding some of the reserve funds. The Class 3 Reserve Fund is being increased by \$20,000.00 to \$50,000.00. The Paving Reserve has also been increased to \$50,000.00 Tim Scoggins highlighted the need to build up these reserves as a means to develop a schedule for maintaining good roads, rather than being on a “panic” schedule to fix bad roads.

Tim Scoggins also reinforced that the budget remains flat from FY16. Art Whitman pointed out that with the debt service going down, the equipment reserve can be built up for the eventual replacement of machinery. David Kiernan commented that there are several paving projects, including chip sealing in Paran Acres and Harvest Hills coming up.

The funds in the Sidewalk Reserve will remain at \$5,000.00 for future repairs. This does not include maintenance and snow removal as discussed earlier in the evening.

The Cemetery Reserve fund is being increased \$5,000.00 to \$9,000.00 for the construction of the road at Maple Hill Cemetery.

The Park Reserve decreased to \$3,000.00 as the major projects at Howard Park have been completed.

Tim Scoggins revisited the issue of whether or not to move funds for culverts solely to the reserve fund and cut out the maintenance line of the budget. Culvert Reserves for FY17 on the current proposed budget are at \$5,000.00.

The Audit Reserve increased to \$10,000.00 but there is a question of how frequent the Town should be audited. David Kiernan indicated that it was a policy decision and Tim Scoggins suggested it could be revisited after the current audit is completed, which is before the final budget is presented at Town Meeting.

Budget discussions regarding the Fire Department, the remainder of Public Works, and the Cemetery would resume on Monday, November 9<sup>th</sup> at a Special Meeting.

## **10. Cemetery Mowing Bid**

David Kiernan presented the Selectboard with a bid request for the cemetery mowing contract for a two-year period beginning in 2016. Mr. Kiernan pointed out that because autumn clean-up usually extends past October 31<sup>st</sup>, the request for services will be for the period of May 1<sup>st</sup> through November 30<sup>th</sup>. The bid proposals would be required to be returned by December 4<sup>th</sup> so that the bid could be discussed and awarded at the first Selectboard meeting in December.

Art Whitman asked about snow plowing services at the Town cemeteries. David Kiernan said that if those services are required during the winter months, the Cemetery Committee decided that there would need to be special arrangements made.

David Kiernan will put the bid request on the Town website and he will submit it to the Bennington Banner.

## **11. Cole Hall Second Floor Renovation Committee**

David Kiernan informed the Selectboard that he had proposed the possibility of forming a committee regarding the renovation of the second floor of Cole Hall after speaking with Chris Williams. Mr. Williams had volunteered to chair the committee, which would look at design and structural issues to address the need to make the second floor of the Town Offices more functional at a relatively low cost. Mr. Kiernan proposed a six-month timeline for this committee to look into a plan for renovation. Tim Scoggins said he felt that four months of time is adequate. Mr. Scoggins then inquired about the rules in place to regulate the formation of ad hoc committees. David Kiernan said he would look into it in time for the next regular meeting. Mitch Race asked if there were grants available to help with the reconfiguration of the second floor space.

## **12. Town Administrator's Report**

David Kiernan presented the Selectboard with two items to be addressed in regard to Errors and Omissions for the 2015 Grand List. It had been decided by the Selectboard at the October 19<sup>th</sup> meeting to not accept the changes to the Grand List.

Tim Scoggins informed the Selectboard that one of the property owners in question does know about the increase in taxes for this year related to this omission and is not opposed to the change. The other property owner was not aware of the increased tax due.

Motion: Tim Scoggins moved to approve accept the Errors and Omissions report from the Listers for 164 Glastenbury Road. Tony Krulikowski seconded.  
5-0-0 Motion approved.

Prior to presenting the next motion, David Kiernan suggested the working be changed from "approve" to "deny" on the next Errors and Omissions report regarding the property on Lower East Road.

Motion: Tim Scoggins moved to deny the Errors and Omissions Report from the Listers for 444 Lower East Road. Mitch Race seconded.  
5-0-0 Motion approved.

## **13. Other Business**

Ken Harrington inquired about the progress of the Shaftsbury Hollow engineering project. David Kiernan replied that the new State river engineer who reviewed the project reports that the Town has a lot of options and the repairs will definitely cost less than an initial projection of \$500,000.00. Additionally, the bridge is not in danger of collapsing. A presentation from Mance Engineering is expected following some additional research on the project.

David Kiernan then reported that the State has inspected the proposed well site at Howard Park. Mance Engineering will forward proposals to the three major local well drilling companies and bids are expected back by December.

Mr. Kiernan said that funds from Better Back Roads had finally been secured for the improvement project on Shaftsbury Hollow Road going past Dwyer's Camp Road.

David Kiernan then mentioned the proposal for the solar field on Buck Hill Road that will soon be going before the Public Utility Board. The Selectboard does have an opportunity to comment on the project. Hard copies and scanned electronic copies are available for review by the Board members.

#### **14. Review of Action Items**

- Holy Smoke Road culvert, ditching, stumping (road crew)
- Formation of ad hoc committees rules (Cole Hall Renovations)
- Solar proposal review

Art Whitman inquired if the DRB has a say on the solar project. David Kiernan replied that they do not. However, the Planning Commission can comment on the proposal and there are guidelines within the proposal for raising significant issues and objections with the project.

Art Whitman informed the Selectboard that the Economic Development Committee received an application for a grant to develop walking and biking paths but the Committee had agreed to apply for the grant regarding forming an overall picture for the planning of the Town. Mr. Whitman did say that the grant for the recreation paths would be worth pursuing in the future.

#### **15. Adjournment**

Motion: Tim Scoggins moved to adjourn at 8:38PM. Mitch Race seconded.  
5-0-0 Motion approved.