

**Town of Shaftsbury  
Selectboard Meeting  
6:30 PM Selectboard  
Monday, January 4, 2016  
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, Oliver Durand, Ron Jennings (road crew)

**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**

Tim Scoggins presented the Meeting Minutes from the Regular Meeting on December 21, 2015. Art Whitman offered once change to Item #8, adding the word "who" to a sentence in the second paragraph.

Motion: Art Whitman moved to approve the minutes from the Regular Meeting on December 21, 2015. Ken Harrington seconded.

3-0-2 Motion Approved.

**4. Warrants**

Motion: Tim Scoggins moved to approve Retirement Warrant #26 \$6,966.50. Tony Krulikowski seconded.

5-0-0 Motion approved.

Motion: Tim Scoggins moved to approve Check Warrant #20 \$11,401.12. Tony Krulikowski seconded.

5-0-0 Motion approved.

Motion: Tim Scoggins moved to approve Check Warrant #20 \$61,610.00 for community appropriations for FY16. Mitch Race seconded.

5-0-0 Motion approved.

Art Whitman inquired if the various community agencies submitted invoices for these payments. David Kiernan replied that no invoices were submitted and that the approval of the appropriations last March was all that was required. Mr. Kiernan went on to inform the Board that the appropriations are usually disbursed following the collection of taxes.

**5. Announcements**

Art Whitman announced that there will be a public meeting for the Economic Development Committee on January 28, 2016 at a time and place to be determined. The purpose of the meeting will be to discuss the Shaftsbury “streetscape” (sidewalks, parks, parking lots, etc.).

**6. Public Comments**

NONE

**7. Treasurer’s Report – Melanie Dexter**

Melanie Dexter presented a brief report to the Selectboard, beginning by stating that expenditures halfway through the fiscal year were at about 51% of the total FY16 budget. Ms. Dexter also reported to the Board that the total outstanding for delinquent taxes for FY16 was about \$19,000.00 less than FY15. Ms. Dexter then concluded by stating that the auditors from Sullivan & Powers were returning on January 5, 2016 to follow up on some questions that they had after their initial visit a few weeks ago.

**8. Road Foreman Report**

This report was given by TA Kiernan later in the meeting, as part of the Town Administrator’s Report.

**9. DRB Appointments**

**a. Letters of support – candidates for DRB alternate**

David Kiernan informed the Selectboard that he had received no letters of support or objection regarding the sole candidate to submit a letter of interest for the alternate position open on the DRB, Carl Korman.

**b. Appointment to DRB to finish term until April 1, 2016**

Tim Scoggins pointed out that the Selectboard had not interviewed Mr. Korman, but given that there was no objection and that the position runs for approximately three

(3) more months, Mr. Scoggins informed the Board that they could vote to make an appointment at this meeting.

Motion: Tim Scoggins moved to appoint Carl Korman as alternate member of the DRB until April 1, 2016. Mitch Race seconded.

5-0-0 Motion approved.

David Kiernan then reviewed the upcoming open positions on both the DRB and Planning Commissions, beginning on April 1, 2016:

THE FOLLOWING TERMS WILL BE OPEN ON THE DEVELOPMENT REVIEW BOARD:

- 3 – YEAR TERM EXPIRING 2019
- 3 – YEAR TERM EXPIRING 2019
- 3 – YEAR TERM EXPIRING 2019
- 1- YEAR ALTERNATE EXPIRING 2017

THE FOLLOWING TERMS WILL BE OPEN ON THE PLANNING COMMISSION:

- 3- YEAR TERM EXPIRING 2019
- 3 - YEAR TERM EXPIRING 2019
- 3 – YEAR TERM EXPIRING 2019

Mr. Kiernan asked the public, as well as those current members looking to continue their service to the Town, to submit letters of interest.

#### **10. Shaftsbury New Proposed Highway Garage**

Tim Scoggins said that he had no new business to discuss but had left this item on the agenda as a “placeholder.” Mr. Scoggins then said that the Selectboard would move into Executive Session following the Regular Meeting to discuss a couple of new real estate opportunities related to the proposed location of the new garage.

Art Whitman then asked the Board and David Kiernan if a builder could visit the Morton-designed building in Rupert to inspect the garage there and take measurements. David Kiernan replied that anyone could visit the Rupert facility but that the Town will likely get less information from Morton if they know the Town is considering putting the design and construction of the garage out to bid. Art Whitman clarified that should a person want to take measurements and specs of the Rupert building and approach the Town about a bid, they would not be taking actual plans.

Tim Scoggins said that the process of the construction of the garage would be “either or”, meaning the project would be put out to bid with the Town putting out specs (as usual) or the project would be “sole-sourced” by Morton. Mr. Scoggins went on to say that he thought the Board had been strongly considering the sole-source option.

Ken Harrington asked if the garage vote would now be ready for the November election. Tim Scoggins replied that he thought it would and expected that if the Board were evaluating real estate options now, there could be a vote in March for the possible purchase of real estate.

Mitch Race asked if the real estate prospects had been made public yet. Tim Scoggins said that they were still being discussed in Executive Session. Tony Krulikowski asked if the Board was still planning on conducting informational meetings regarding the garage and Tim Scoggins said that he planned on beginning those meetings sometime after March.

#### **11. Waiver of 45-day Notice for Solar Project – Merrow Farm**

David Kiernan presented to the Selectboard a Waiver for a solar project on Buck Hill Road. The Waiver would assist in the applicant obtaining a Certificate of Public Good from the State for the project. Mr. Kiernan reminded the Selectboard that this project had been previously submitted for consideration with two (2) arrays of solar panels and the Waiver now before the Board consists of eleven and a half (11 ½) rows of panels. Mr. Kiernan indicated that while the project is now substantially larger, it will be without any additional impact.

Tim Scoggins reminded the public that the Board had declined to take action or make comment on the previous Waiver and asked the Board if anyone had comment on the project. There was no comment and Mr. Scoggins announced that the Board would be taking no action on the Waiver.

#### **12. Southern Vermont Economic Development Zone (SVEDZ) Report**

Tim Scoggins presented a summary of the Southern Vermont Economic Development Zone (SVEDZ) Report that came out in late 2015. The SVEDZ was created in 2015, and encompasses Bennington and Windham Counties. A nine (9) member committee produced a report on the area with the hope of creating strategies to retain and recruit businesses in both counties.

Mr. Scoggins highlighted the basic conclusion of the report: Southern Vermont is in trouble. The report cited the following reasons for this statement:

- Lack of coordination across the region
- Access to capital
- Workforce development
- Housing
- Broadband/cell phone access
- Awareness and marketing
- Limited transportation (particularly in the western part of the region, i.e. Bennington

Recommendations made in the report to improve the economic culture of Southwestern Vermont were as follows:

- Create Southern Vermont Comprehensive Economic Development Strategy (CEDs)
- Better coordination at the State level
- Implement Department of Public Service Telecom Plan
- Research and development strategy for housing
- Create industrial clusters
- Enhance arts and culture
- Create and implement a marketing and recruitment strategy
- Integrate workforce, education, internship and career development strategy
- Private-public partnership to attract investment capital

Mr. Scoggins then addressed what Shaftsbury has done, and can be doing, to assist in the long-term goals outlined in the report:

- Better roads, more aggressive capital improvements
- Better bylaws for planning to make Shaftsbury more “business friendly”
- Continue to provide a good school (with an eye toward Act 46 as being either an opportunity or a danger)

Mitch Race inquired what made the possibility of consolidating supervisory unions under Act 46 a danger. Mr. Scoggins replied that the act of consolidation may remove local school boards and result in more centralized control.

Tim Scoggins went on to address what steps the SVEDZ advised taking to improve economic conditions, including Windham CEDs expanding to include Bennington provided that Bennington County is willing to act and provide resources.

Tony Krulikowski asked if Tim Scoggins had reached out to the Chairman of the Bennington Selectboard to discuss the findings of this report. Mr. Scoggins replied he had not but Bennington had addressed the report at a Selectboard meeting. Mr. Krulikowski said that a meeting between the Board chairs would be a step toward resolving lack of coordination between various entities and services. Tim Scoggins also informed the Board that a meeting with Sue Minter, a Democratic candidate for Governor, in December had resulted in some connections being made and that board coordination would need to take place.

### **13. Town Administrator’s Report**

David Kiernan began his report by informing the Selectboard that the speed study he conducted related to the sidewalk project at the corner of Route 7A and Church Street had been accepted by the State and the bid document was now under review by the State. Mr. Kiernan hoped to put the project out to bid in February.

Mr. Kiernan said that the roadside mowing bid would be posted this week.

Mr. Kiernan informed the Selectboard that the warning for the budget should be finalized by the next Regular Meeting on January 20, 2016. Mr. Kiernan said that the amount requested for community appropriations was now at \$70,910.00. Mr. Kiernan said that he would be tweaking the budget numbers and formatting the budget for final approval by the Board.

David Kiernan then went on to discuss a possible change in the overtime policy for the road crew. The current policy does not allow for sick or personal to be counted in addition to hours worked overtime in a work-week. There is also a current policy that mandates an adjustment in the work schedule to order days off for the crew. Mr. Kiernan said that he felt this policy to be counter-productive and not a motivator for the crew to work overtime hours during busy times.

There was a brief discussion regarding the difference between sick and personal time as the Town currently does not distinguish between the two classifications. Despite this discussion, no clarification was ultimately made.

Art Whitman inquired about when comp time is given to the crew. David Kiernan said that last winter, the overtime budget had been exhausted and the Selectboard voted to give the crew time and a half to be used as comp time.

Ron Jennings, a member of the road crew, said that taking the comp time was not practical with a five-man crew. He also indicated that payment for this time worked in February and March of 2015 had not yet been paid. David Kiernan then informed the Selectboard that the State's policy for their employees is to have comp time carry over for one year and then comp time is paid out the following year. Mr. Kiernan proposed that after cleaning up what was due to the road crew for comp time now, the Town could put this sort of policy in place. Tim Scoggins pointed out that this policy may save the Town money in the long run, as employees will not be allowed to accrue comp time throughout the term of their employment and then collect on the payout at their final rate of pay upon leaving their position.

Mitch Race asked how the road crew in Bennington handled these policies regarding overtime and comp time. David Kiernan said that the crew in Bennington is unionized. Mitch Race asked about a "sick bank" for the road crew and was informed that there is a short-term disability policy. Mr. Kiernan said that AFLAC would also be coming in this week to meet with the road crew.

David Kiernan informed the Selectboard that he would be preparing a revised policy regarding overtime and comp time and circulating it for review and comment.

#### **14. Other Business**

NONE

#### **15. Review of Action Items**

- Time and place to be announced for the January 28, 2016 Economic Development Committee Meeting
- Finalize budget/ballot warning
- David Kiernan to rework personnel policy on overtime

Art Whitman asked when the Cemetery Committee would be reporting back to the Selectboard regarding the Grandview Cemetery. David Kiernan said that Cinda Morse was to report back to the Board in January or February.

#### **16. Executive Session for Real Estate**

Tim Scoggins adjourned the Regular Meeting and moved into Executive Session at 7:55PM