

**Town of Shaftsbury  
Selectboard Meeting  
6:30 PM  
Monday, May 16, 2016  
Cole Hall, 61 Buck Hill Road, Shaftsbury**

**\*\*\*\*\*DRAFT\*\*\*\*\***

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

**TA Present: David Kiernan**

**Others Present: Ed Corey, Keith Corey, Melanie Dexter, David Newell, Jason Dolmetsch**

**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 Regular Meeting Minutes from May 2, 2016. Tony Krulikowski seconded.

5-0-0 Motion approved.

Motion: Mitch Race moved to approve the Water Board Meeting Minutes from May 2, 2016. Tony Krulikowski seconded.

5-0-0 Motion approved.

**4. Warrants**

Motion: Mitch Race moved to approve Retirement Warrant #23 \$175.81. Tony Krulikowski seconded.

5-0-0 Motion approved.

Motion: Mitch Race moved to approve Check Warrant #36 \$871.38 to Merton Snow, Delinquent Tax Collector, for an accounting correction. Tony Krulikowski seconded.

5-0-0 Motion approved.

Motion: Mitch Race moved to approve Payroll Warrant #23 \$16,596.20. Tony Krulikowski seconded.

5-0-0 Motion approved.

Motion: Mitch Race moved to approve Check Warrant #37 \$39,303.19. Tony Krulikowski seconded.

5-0-0 Motion approved.

## **5. Announcements**

Mitch Race announced the celebration of this year's Shaftsbury "Ordinary Hero" will be on June 6, 2016 from 2:00PM to 4:00PM at the Galusha Homestead. Mitch Race also announced that the Shaftsbury Historical Society had a high tea with the Pownal Historical Society on Sunday, May 15<sup>th</sup>.

Tim Scoggins pointed out that there are still vacancies on the Planning Commission and Development Review Board and the positions are currently posted on the website. Mr. Scoggins asked interested parties to submit a letter of interest to the Town Administrator and pointed out that the letter could be in email form. Ed Corey suggested that the vacancies also be posted publically for those without internet access.

## **6. Public Comments**

Ed Corey came before the Selectboard with a sign he wanted to place at the former landfill site on North Road indicating where the new Town Garage will be located. Tim Scoggins said that the Board was still evaluating the exact location of the buildings and that no final decision had been made on the placement of the garage and outbuildings.

Ed Corey also commented that he thought the flags placed on Main Street (Route 7A) looked nice.

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

Melanie Dexter gave a brief mid-month report stating that the Town is in a strong position with the budget and cash flow. Ms. Dexter reported that delinquent tax collection is ahead this year over last. David Kiernan asked the Selectboard for a Special Meeting to sign warrants and the end of May, as the Memorial Day holiday would delay the next regular

meeting until June 6<sup>th</sup>. The Board determined a brief meeting to approve warrants would be held on May 31 at 5:30PM.

## **8. Road Foreman Report**

Steve Washburn was absent from the meeting due to illness. David Kiernan reported that grading was being done as weather permitted. Mr. Kiernan also reported that the State grant money for continuing the East Road repaving had been approved but the project on Airport Road had not been approved. Mr. Kiernan said with the reserve salt and sand from this past winter, the Town could repair Airport Road from Cider Mill Road to the train tracks and at least take care of the rougher areas of road. Mr. Kiernan then said that he hoped that the East Road project from the point of conclusion last year to Furnace Brook Road could be aligned with other road projects to save money.

Tim Scoggins asked if there had been material recently laid on Horton Hill Road and Art Whitman replied that he believed it was only grading and chloride treating the road.

Art Whitman then informed the Selectboard that the Town had met with Norm LeBlanc, who heads the North Bennington Highway Department, and learned that the Village has an extra truck available for plowing, along with a part-time position that may be able to be split between the two municipalities. David Kiernan said that he had ran some numbers and found that the arrangement may be disadvantageous to the Town depending on what rate schedule was used to calculate reimbursement for use of equipment. Mr. Kiernan added, however, that this might be a way to fill some positions that the Town is looking to cover (such as parks and water).

Tim Scoggins asked exactly how the split time would work. David Kiernan said that because North Bennington only has two plow routes, the crew member would be available for winter plowing and a total of 832 hours to be spread out over the year. It was agreed that it was a possibility worth exploring.

The discussion then turned to the Highway Department's need for a new utility pick-up truck. David Kiernan said that he hoped to get another year out of the 1-ton truck but that the all-purpose garage pick-up needed replacing. Mr. Kiernan sought approval for the purchase of a used truck for \$10,000.00 or less.

Motion: Ken Harrington moved to approve the purchase of a utility pick-up truck for the Town Highway Department for \$10,000.00 or less. Tony Krulikowski seconded.

5-0-0 Motion approved.

## **9. David Newell – Insurance Renewals (non-medical)**

David Newell from Wills Insurance appeared before the Selectboard to give a brief presentation on the insurance coverage and premium costs for the Town, effective July 1<sup>st</sup>. Mr. Newell pointed out that the premiums were up about 1% over last year. The highlights of the presentation were as follows:

- The Town is covered for \$3,141,915 in contents and buildings for its various properties, including all major buildings, cemetery fences and Howard Park. Tim Scoggins confirmed with Mr. Newell that this was based on replacement value and not appraised value.
- The insurance company recently adjusted their coverage on the fire trucks to reflect replacement cost and not cash value.
- The Town currently has coverage for up to \$50,000.00 for computer fraud. Tim Scoggins expressed concern that this was not enough should the Town accounts be “hacked” online. Art Whitman asked Mr. Newell to look into adjusting the limit to \$100,000.00 and Mr. Newell agreed to do so.

David Kiernan said that he would review this list of equipment with the road crew and report back to Mr. Newell.

Art Whitman asked what the overall umbrella coverage was capped at and David Newell said \$6 million. Ken Harrington asked how that compared to other towns the size of Shaftsbury and Mr. Newell said that while some had more and some had less, he estimated other towns had about \$2-\$3 million in coverage. Art Whitman expressed worry that some would see the Town as having “deep pockets.”

David Newell agreed to have a final proposal before the Board’s consideration by the next regular meeting on June 6<sup>th</sup>.

#### **10. MSK Site Work – North Road Site Town Garage**

Jason Dolmetsch from MSK Engineering & Design came before the Selectboard to discuss his site visit to the Town’s North Road properties with David Kiernan on Friday, May 13<sup>th</sup>. Mr. Dolmetsch said that after viewing the site, the Town could put the garage close to North Road as had been previously discussed but said that the Town may not be satisfied with the placement in relation to the road. Mr. Dolmetsch suggested that the Selectboard examine the future of the transfer station buildings and look at the entire site in a more holistic way. Mr. Dolmetsch also described fitting the garage and outbuildings in the current footprint at the top of the hill as a “shoe-horn” project given the amount of workable space.

Tim Scoggins said that there had been discussion of removing the storage building at the transfer station site in the recent past. David Kiernan said that he had discussed moving to a “container” system at the transfer station with Trevor Mance and Mr. Kiernan also pointed out that it would be cheaper to take down all the buildings at once.

Jason Dolmetsch reported that during his site visit, he saw the transfer and recycling activities as being part of a public space and the garage is a municipal space and asked the Selectboard to consider how separate they wanted to keep those spaces. David Kiernan said that the surfaces and roadways at the current transfer station are good for the municipal equipment. Jason Dolmetsch pointed out that by keeping all of the construction activities to one area at one time, the Town had less of a chance of crossing a stormwater permitting threshold and that there may be arguments to be made to the State regarding permit requirements.

Tim Scoggins agreed that it made sense to look at the future of the transfer station and potential construction of the garage holistically. David Kiernan said that he would speak with Trevor Mance about what sort of configurations are possible for the container recycling system. Art Whitman asked if MSK would be coming up with a proposed design and Jason Dolmetsch said that he wanted to speak with the major stakeholders in the project (the Road Foreman and Trevor Mance of TAM, Inc.). David Kiernan said that he was seeking to form an organizational committee to discuss the project.

Ken Harrington asked Jason Dolmetsch if he knew how the septic system would be configured at the site and Mr. Dolmetsch said that he would look at any existing wastewater permits and design flows. Art Whitman asked if the Town would be able to use the existing well on one of the North Road properties. Jason Dolmetsch replied that he will need to look into the well and State regulations and requirements.

David Kiernan asked about the cost of a site analysis and design and Jason Dolmetsch said that he would prepare a limited feasibility study with permit review and review of existing conditions. Mr. Dolmetsch said that he would present a broad site plan and come back with an estimated cost to the Town at the May 31, 2016 special meeting.

## **11. Morton Contract – Proposed Town Garage**

David Kiernan reported to the Selectboard that he had submitted a contract and check to Morton Buildings for the building specifications and that he was now looking to form a working committee of four (4) to five (5) individuals to evaluate the site and structure and act as a liaison between the Selectboard and interested parties. Mr. Kiernan said that there was an immediate need for the committee to visit the Rupert garage building and advise of what changes to that plan would need to be made to accommodate the Town of Shaftsbury’s specific needs. Mr. Kiernan suggested that two (2) members of the road crew be included on the committee, with one of those individuals being the Road

Foreman (Steve Washburn). Art Whitman suggested Ron Jennings be included as the second road crew member.

After a brief discussion, it was determined that the Garage Building Committee would consist of the following individuals: David Kiernan, Steve Washburn, Ron Jennings, Art Whitman and Ken Harrington.

Motion: Mitch Race moved to form a Building Committee to evaluate the site and structure for the new Town Garage. Tony Krulikowski seconded.

5-0-0 Motion approved.

Art Whitman then inquired about the price that any contractors would have to pay for the building specifications required to bid on the construction of the garage. David Kiernan said that any fee would be to cover the printing cost of reproducing the specifications.

## **12. East Road Paving Bid**

David Kiernan reported that the State is moving toward final approval of their portion of the funding for the paving of 3800' of East Road from the point where the project left off last summer to Furnace Brook Road. Mr. Kiernan further reported that the specs are the same as last year. Tim Scoggins asked if Mr. Kiernan would be issuing a Request for Proposal. Mr. Kiernan affirmed and said that bids would be due June 6<sup>th</sup>.

## **13. Financing Documents North Road**

David Kiernan presented a Note for Capital Improvements in the amount of \$30,000.00 for the purchase of 510 North Road.

Motion: Mitch Race moved to approve the Note for Capital Improvements in the amount of \$30,000.00 at an interest rate of 2.0%. Tony Krulikowski seconded.

5-0-0 Motion approved.

Art Whitman asked when the closing will be taking place. Tim Scoggins said that he believed it was scheduled for Thursday, May 19<sup>th</sup>. Mr. Scoggins also mentioned that the title search to the property showed some minor issues and that the Town's attorney suggested a survey be ordered to establish the boundaries.

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

NONE

## **15. Other Business**

a) Fuel Bids

David Kiernan reported that he had put out the second round of invitations to fuel providers but was planning on doing so for the next consecutive three (3) weeks. Tim Scoggins stated that he now thinks the Town should contact vendors directly for bids as the Selectboard is obligated to get the Town a fair bidding price on fuel. Art Whitman said that he was worried that vendors who were not contacted directly may sue the Town but Mitch Race pointed out that if the advertisements were also run, the bid process was being made public. Tim Scoggins confirmed with David Kiernan that calling vendors directly would not be in violation of the Town's purchasing policy and Mr. Kiernan confirmed that it would not violate policy. David Kiernan informed the Selectboard that he would call all vendors who had supplied the Town with fuel over the past two (2) years.

b) Shaftsbury Historical Society

Mitch Race asked the Selectboard if there were any objections to having the Board join with the Shaftsbury Historical Society in issuing a Resolution honoring this year's "Ordinary Hero." There were no objections.

c) Shaftsbury Hollow Cemetery

Art Whitman asked if a right-of-way to the private Shaftsbury Hollow Cemetery had been located. David Kiernan said that there was no right of way and that if the Town were to take over any private cemetery, three (3) voters of the Town need to petition for such an action, then the intent to take over must be posted for a period of three (3) months and after that time, any person wanting to visit the cemetery must ask to visit at a specific time and reason. Mr. Kiernan said that the ownership of the cemetery property in question could not readily be determined. Tim Scoggins pointed out that an out-of-state resident had contacted the Town about the condition of the Shaftsbury Hollows Cemetery but noted that resident voters of Shaftsbury are the individuals who must petition for the Town to take over a private cemetery.

## **16. Review of Action Items**

5/2/2016 Action Items:

- David Kiernan to prepare a long-term budget for park improvements – **Mr. Kiernan has asked the insurance company to evaluate the parks and equipment.**
- Road crew to remove the playground equipment ASAP - **completed**
- David Kiernan to contact Steve Bardin regarding Morton specs - **completed**
- David Kiernan to discuss North Road site plan with MSK Engineering - **completed**

5/16/16 Action Items:

- Selectboard to study new Water Board Regulations for June 6<sup>th</sup> meeting
- Special Meeting on May 31, 2016 to sign warrants and review site plan
- Move grader fund to equipment fund in March 2017
- Garage Building Committee – **Art Whitman, Ken Harrington, Steve Washburn, Ron Jennings, David Kiernan - completed**

**17. Executive Session/Personnel/Real Estate (If Needed)**

Motion: Art Whitman moved to adjourn the regular meeting and go into Executive Session at 8:35PM. Mitch Race seconded.

5-0-0 Motion approved,