

**Town of Shaftsbury  
Selectboard Meeting  
6:30 PM  
Tuesday, July 5, 2016  
Cole Hall, 61 Buck Hill Road, Shaftsbury**

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

**Selectboard Member Absent: Mitch Race**

**TA Present: David Kiernan**

**Others Present: Ed Corey, Melanie Dexter, Steve Washburn**

**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: Art Whitman moved to approve the Meeting Minutes from June 20, 2016. Ken Harrington seconded.

3-0-1 Motion approved. Tony Krulikowski abstained.

**4. Warrants**

Motion: Art Whitman moved to approve Payroll Warrant #27 \$18,348.81. Ken Harrington seconded.

4-0-0 Motion approved.

Motion: Art Whitman moved to approve Retirement Warrant #27 \$6,993.15. Tony Krulikowski seconded.

4-0-0 Motion approved.

Motion: Tony Krulikowski moved to approve Retirement Warrant #26 \$127.21. Art Whitman seconded.

4-0-0 Motion approved.

Motion: Tony Krulikowski moved to approve Check Warrant #1 \$57,180.79. Art Whitman seconded.

4-0-0 Motion approved.

Motion: Tony Krulikowski moved to approve Check Warrant #41 \$25,179.48. Art Whitman seconded.

4-0-0 Motion approved.

## **5. Announcements**

NONE

## **6. Public Comments and Speed Limit Change & Signage Elm Street**

Ed Corey appeared before the Board and presented some pictures that he took of the potential garage site and again proposed putting up a sign to notify citizens of the location. Tim Scoggins said that, as discussed before, the Board had not settled on a final site and that it was his opinion that until that decision has been made, no notification is necessary. Mr. Corey said that he was concerned that taxpayer money is already being spent on the engineer and design plans and that he would like a sign at the general location. Mr. Scoggins said that the Board is awaiting an engineering site plan to present to the Town regarding placement of buildings. Mr. Corey expressed concern with the timeframe of the process.

Art Whitman then brought up the fact that should a bond vote take place in November, a warning would need to be prepared by August 12<sup>th</sup> and that he felt that there was not enough time to solidify plans for a November vote. Tim Scoggins said that he believed a bond vote needed to take place in November and that the Board cannot keep putting it off. Mr. Corey pointed out that November is only four (4) months away. David Kiernan said that it was critical that the site design be done correctly.

Mr. Corey said that he wanted a sign at the North Road location because he wanted citizens to know that the proposed Town Garage will be on North Road and not at the current location. Ken Harrington said he felt that people understood where the proposed location will be.

Mr. Corey then asked the Board if it was possible to get roadwork on the Corey Drive apron worked into the budget this year. Art Whitman questioned if that area is part of the State road and Mr. Corey said that the Town took over that portion of the road some years ago. Tim Scoggins said that this request would be taken under advisement and he would make a note to include it in the budget discussions at the end of the year.

Mr. Corey then presented a flyer from 1994 regarding community information and asked the Board if they would consider issuing a new edition with contact information for Town officials. Art Whitman said he believed that it was produced by the Economic Development Committee with support from businesses. Tim Scoggins said that one of the items on the Town's to-do list is to redo the website but acknowledged that hard copies of this information were still needed.

**7. Treasurer's Report – Annual Financial Management Report – Melanie Dexter**

Melanie Dexter appeared before the Board and stated that the Internal Control Memo was due by June 30<sup>th</sup> and had been circulated to the Board for approval in the official Minutes per State statute. This Memo basically mirrored the audit checklist.

Motion: Art Whitman moved to accept the Financial Management Questionnaire from the Treasurer and to give the Chairman the authority to sign it. Tony Krulikowski seconded.

4-0-0 Motion approved.

Ms. Dexter also presented the paperwork for the Town's Line of Credit to the Board.

Motion: Tony Krulikowski moved to authorize Tim Scoggins to sign the Tax Anticipation Note Line of Credit for \$340,000.00. Art Whitman seconded.

4-0-0 Motion approved.

Motion: Tony Krulikowski moved to approve the Resolution for Tax Anticipation Borrowing Line of Credit. Art Whitman seconded.

4-0-0 Motion approved.

Motion: Tony Krulikowski moved to accept the Non-Arbitrage Certificate. Art Whitman seconded.

4-0-0 Motion approved.

Ms. Dexter then presented her bi-weekly report to the Board and indicated that this is not the final report for the fiscal year as she has some loose ends to tie up. Tim Scoggins did ask for an overview on the year and Ms. Dexter said that the Town would be under budget significantly for this fiscal period.

## **8. Road Foreman Report**

Steve Washburn came before the Board and said that the roads suffered a bit from the previous Friday's rainstorm, clogging some culverts. The Town also cut brush on Rollin Road and has done some culvert repair.

Tim Scoggins asked if there was anything worrisome coming up this summer and Mr. Washburn replied that everything looked good. Mr. Washburn confirmed that the first pass of roadside mowing had been done.

David Kiernan reported that a letter went out to the residents of Hewitt Drive and Harvest Hills indicating that roadwork would be done in July or August.

## **9. Cleveland Park – Howard Park and Cleveland Park Safety Inspection**

Tim Scoggins stated that a report had been circulated on the Town's parks. David Kiernan stated that the old slide and swinging bench on Cleveland Avenue needed to be removed and will be done immediately. Mr. Kiernan said that a more significant concern is the "fall-zone" area recommendations, which could cost \$10,000.00-\$12,000.00 for both parks and will need to be rectified quickly. Mr. Kiernan recommended that Howard Park should be done first based on usage but the climbing areas at Cleveland will require more material.

Mr. Kiernan also reminded the Board that the well work has not yet been completed at Howard Park and will be expensive. Art Whitman asked if some work could be put out to bid. David Kiernan said that the road crew did do some landscape clean-up but that an excavator would be needed and that the laying of the engineered wood fiber will need some expertise. The wood fiber will also need to be ADA compliant. Mr. Kiernan said that he will open the project to bids and will prepare for next meeting.

## **10. Town Insurance Renewals (Non-Medical)**

David Kiernan reported that the Transfer Station had been revalued and the vehicle list had also been cleaned up and that paperwork had been sent to the Town on the 5<sup>th</sup>.

## **11. Property Purchase – North Road - Update**

David Kiernan indicated that there was no update on the purchase of 510 North Road but that he would leave it on the agenda as a place-holder. Tim Scoggins said that he believed that the new Garage really needed to be voted on in November but that if an update on the purchase is not received in the next few days, it could fall by the wayside as the property is integral to the plan. Mr. Kiernan said that the title defect needs to be resolved in Probate Court and it could take a long time.

## **12. New Town Garage – Morton Buildings**

Art Whitman proposed going to the Planning Board and asking for clarification on the definition of a transfer station and if there is a distinction between a commercial transfer station and a municipal transfer station. Tim Scoggins said that the current regulations do not make a distinction. Mr. Whitman proposed a change to the regulations and Mr. Scoggins said that if the bond vote is delayed past November, there may be time to work in a change to the bylaws. Mr. Scoggins pointed out, however, that issues related to the zoning setbacks concerning the transfer station were not worth risking the entire garage project. Mr. Scoggins pointed out that the Town could choose to forgo the regulations in the best interest of the Town but that comes with a political risk.

Ken Harrington asked what would happen if the transfer station would just shut down. David Kiernan said that the Town has an operating certificate good through 2019. Mr. Scoggins asked if that meant the Town was obligated to have a transfer station or that the Town could operate one, if it so chooses. David Kiernan said that it was an interesting argument. Art Whitman said that he didn't believe that TAM wanted a public transfer station on their property.

David Kiernan said that MSK Engineering would be presenting a plan shortly and that they would be researching the setback issue as part of their diligence. Tim Scoggins said that the citizens he spoke with were in favor for keeping a municipal transfer station.

Art Whitman again expressed that he would like the Planning Commission to make a distinction between municipal and commercial transfer stations. Mr. Scoggins said that this had been a contentious issue among the Planning Commission in the past and that the members were not eager to revisit the matter.

Art Whitman said that he simply wished for the Town to take its time and do the job done right. Tim Scoggins said that he did not want to lose the vote again. David Kiernan pointed out that the Board would only have two (2) meetings before the warning would be due, and much site work would need to be done ahead of time. Mr. Kiernan said that he would have until next spring to submit any paperwork for a bond and that there would be another election in March that would give him time for submission.

Tim Scoggins then announced that a floor plan had been circulated among the Board from Morton, based on the recommendations of the Garage Committee. The major item that was redesigned was a firewall to comply with regulations and eliminate a need for a variance. Art Whitman pointed out the crew wanted the wash bay on one end of the building and the repair bay closer to the office. David Kiernan said that this was a preliminary plan but he had reviewed it with the Road Foreman. Tim Scoggins asked for an interior door to be incorporated for the Water Department to gain access to the

bathrooms. Mr. Scoggins also pointed out that since the Garage would have no more than fifteen (15) people in the building at one time, bathrooms for both sexes were likely not needed. Ken Harrington asked if greater fire suppression systems could eliminate the need for the firewall. Mr. Kiernan said that those systems could be costly but that alternatives could be explored.

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

#### **a. Cemetery Report**

David Kiernan said that a public notice asking for anyone with a legal interest in the Shaftsbury Hollow Cemetery to come forth had started commenced running in the Bennington Banner this week. The public notice will run for the next three (3) weeks. After a period of three (3) months following that last publication, the Town will be allowed to take over the cemetery. Mr. Kiernan said that the maintenance costs will be figured into the next fiscal year's budget.

Mr. Kiernan said that as of July 1<sup>st</sup>, the Grandview Cemetery was being operated by the Town of Shaftsbury. Mr. Kiernan hoped to get more details at the Cemetery Committee meeting on July 7<sup>th</sup> but he anticipates a slow transition of the necessary legal and financial documents.

#### **b. Brownell's Certificate of Location**

Mr. Kiernan indicated that notice of the renewal of Brownell's certificate had also been published in the Bennington Banner and that a Special Meeting will be held on July 11<sup>th</sup> to review the conditions of the renewal. The items that will be discussed at this meeting include the condition of the fencing around the junk yard, the gate being closed, planting of more trees surrounding the properties, and maintenance of a trench running along the property line. Mr. Kiernan pointed out that some of the environmental requirements imposed by the Town had been released by the State of Vermont. Mr. Kiernan also said that a condition stating that no vehicles should be visible on the property interfered with Mr. Brownell's longtime business of selling used cars. The Special Meeting will be public and abutting property owners have been notified.

#### **c. Organics Recycling – Transfer Station**

Mr. Kiernan informed the Board that organics recycling had begun at the transfer station and the Town is now selling buckets for households at \$7.00 a piece. Mr. Kiernan said that the system in place is very simple and there is no charge for the organic recycling. A representative from the county alliance will be available for questions.

#### **d. Revised Sheriff Contract**

Mr. Kiernan presented a new contract for the Bennington County Sheriff's Department, moving the fee from \$0.50/mile to an additional \$8.00/hour for the cruiser miles. Art Whitman asked if the contract stipulated the hours per week that Sheriff would provide coverage. Mr. Kiernan said that it would be for 16 hours per week.

Motion: Tony Krulikowski moved to accept the revised Bennington County Sheriff's contract that includes 16 hours per week for patrols and an \$8.00/hour charge for mileage. Art Whitman seconded.

4-0-0 Motion approved.

Finally, David Kiernan presented a fixed asset module from NEMRC for approval by the Board for \$1,795.00 but pointed out that there would also be a fee for training. Mr. Kiernan said that the Town is also looking to receive training on a payroll module the Town already owns later in the year, due to issues with the payroll service currently being used. The fixed asset module will be used to assist in calculating values and depreciation of the Town's assets, upon recommendation of the external audit team.

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

Art Whitman contacted Dailey's regarding their building on Rte 7A. They will be able to provide more information on selling the building soon.

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

7/5/16 Water Board Meeting:

- Jim McGinnis will provide copy of North Bennington Water Regulations to fold into Shaftsbury Regulations
- Jim McGinnis to speak with Town Treasurer about possibly foreclosing on a property due to a delinquent water bill

7/5/16 Regular Meeting:

- Corey Drive – will look into fitting into road projects for upcoming budget year
- David Kiernan will generate cost estimate on park safety improvements needed in next 30 days

#### **16. Executive Session for real estate (if needed)**

Not needed.

**17. Adjournment**

Motion: Tony Krulikowski moved to adjourn at 8:00PM. Art Whitman seconded.

4-0-0 Motion approved.