

**Shaftsbury Selectboard Meeting
Minutes
January 2, 2017**

DRAFT

1) Call to Order

6:30 p January 2, 2017. Select board members Tim Scoggins, Mitch Race, Tony Krulikowski, Ken Harrington, and Art Whitman were present. Town administrator David Kiernan was also present.

2) Conflict of interest: there were none

3) Announcements

Mr. Race reported that Ordinary Heroes nominations are needed.

a) Open Elected Positions March 2017

Mr. Scoggins reported that open positions beginning in March 2017 include, for elected positions, town clerk, auditor, 2 Selectboard positions, moderator, delinquent tax collector, lister, grand juror, trustee of public funds, town agent, constables.

b) Open Appointed Positions

Also open will be 2 planning commission posts, DRB alternate and one full member position, 2 positions on school board.

Mr. Scoggins noted that cemetery rates will go up January 1, 2017.

4) Public Comments

Mr. Ed Corey suggested that garage not be built on North Road site, and suggested that if the present transfer station were to be torn down, a new one should not be built. TAM and the Bennington transfer station could be used instead. Board members discussed his second suggestion. Mr. Corey reported a concern about additional traffic at the new garage.

5) Approval of Minutes

December 19, 2016 minutes. Mr. Race moved to approve the minutes. Mr. Harrington seconded the motion, which passed 4-0-1, with Mr. Krulikowski abstaining.

6) Warrants

Check warrant #19, for \$71,845.82. Mr. Race moved to approve the warrant. Mr. Krulikowski seconded the motion. Mr. Scoggins listed the several components of the warrant. The motion passed 5-0-0.

7) Shires Housing Paran Acres: Stephanie Lane from Shires Housing presenting. Also present was Planning Commission chair Chris Williams.

Ms. Lane described Shires Housing, a private, mission-driven, not-for-profit developer, and several ongoing projects of the organization. She outlined the year or more-long application process for new projects, and various requirements of the many funders (e.g. accessibility, energy efficiency, affordability).

The Paran Acres project will comprise 22 units, accessed via McCarthy Road, designed to evoke a farmstead. A marketing analysis indicated that one, two and three bedroom apartments will be most in demand. She said the proposed number of parking sites is in accordance with the bylaw, but is probably more than will be needed. She described the site plan as very preliminary and very much open to change.

In response to questions, Ms. Lane said there are no plans to upgrade McCarthy Rd. at this time, other than perhaps filling a hill on the road. They hope to connect to Bennington's sewer system. She shared the density breakdown calculation. She pointed out that conservation easements will be placed on parts of the parcel. Mr. Williams explained that the cost to Shires Housing will be \$6.6 million, though the value the listers will place on the property is more likely to be around \$5 million. Ms. Lane said Shires Housing pays full municipal taxes, except they get a 5% discount on school taxes. Mr. Whitman expressed concern re the entrance road, its design and condition. Mr. Kiernan said the DRB would take up that issue.

Mr. Williams reported that from the point of view of the Planning Commission, he sees two issues: water usage (and North Bennington's water capacity), and connection to the sewer system (which will include a pump station) – who will be responsible for what, for example.

8) Approval Draft Zoning Bylaw Changes

Mr. Scoggins reported that he hopes to bring the revisions in whole to the voters (which would allow restaurants, and retail stores as conditional uses), and to ask a secondary question of the voters (to paraphrase) if the new bylaw is approved by the voters, shall the bylaws be further amended to allow restaurants, funeral establishments and retail stores as permitted uses with site plan review? Some present took issue with the proposed use of the word "error" on the ballot. "Inconsistencies" will replace it. Mr. Scoggins shared the draft flow chart and table of uses.

9) Town Clerk Health Benefits

The present town clerk has had health benefits since becoming clerk. Should those benefits be continued? Shall all employees be offered such benefits? Should they be individual or family benefits? Mr. Kiernan reported that an old motion by the Select Board permitted the board to deny health benefits to a new clerk. Mr. Scoggins moved to provide the clerk with individual health benefits up to 86% of the premium cost, with the option given to the employee to increase the benefit level at his/her own expense through the Town's provider. Mr. Race seconded the motion. Mr. Scoggins noted that the voters will also be asked to approve paying a salary to the clerk (with the fees going to the general fund), as is allowed by the state. Mr. Krulikowski thought that elected officials shouldn't get benefits; but Mr. Scoggins pointed out that, at least at the national level, elected officials get health benefits. Mr. Kiernan wondered whether the vote might reference only (as is the case) the last year of the current clerk term, which would allow the town to continue to pay for benefits through FY 2018 while coming to a decision on 2018. There was some question as to whether the issue must be addressed with a floor vote or a ballot vote. The motion failed 3-2-0. It was noted that the policy can be changed at any time. Mr. Scoggins said any candidate would need to know that under the current policy they would not receive health care.

Mr. Scoggins clarified the language of the ballot question, which will include the question, to paraphrase, shall the clerk receive a flat salary of \$28K? (with an explanation that the clerk currently receives a stipend and fees totaling about \$28K).

10) Community Appropriations

Mr. Kiernan reported that Neighborworks of Western Vermont requested \$500. They've never requested to be on the ballot before though they have served Shaftsbury residents in the last year. Mr. Kiernan will suggest they secure the requisite number of petition signatures.

Bennington Rescue: in the past they asked for \$2K, but asked this year for \$42+K. Minus the amount paid to Arlington Rescue Squad, the revised total would come to about \$35K. Mr. Whitman moved to add \$7,500 as a budget line item for the Bennington squad. Mr. Harrington seconded the motion. The discussion included: the squad charges a fee to recipients of its services; their budget isn't transparent

(though they may be able to provide more information); \$12/resident is a reasonable tax across the country; we give Arlington \$7K; they operate a transport business, with a taxpayer subsidy; if the squad went out of business and went away that would be a bad thing for the town; perhaps their business plan needs to be changed (to reduce costs); Mr. Whitman said the intent of his motion was to get the allocation as a line item in the budget over which the town has more control rather than a community appropriation; Mr. Scoggins said he thought the better number might be about half their request; Mr. Whitman pointed out they had a large reserve. Mr. Scoggins moved to amend the motion to \$18,000; no second was made. The original motion passed 4-1-0. Mr. Race moved to reject the Bennington Rescue Squad appropriation request for \$42,000. Mr. Krulikowski seconded the motion, which passed 5-0-0.

Mr. Scoggins added an action item to work with the squad to get community representation on their board.

11) Proposed New Town Garage and Transfer Station

The geotechnical report on the garage substrate should be ready by the week of January 9, 2017. Four sites will be excavated. Mr. Scoggins wondered whether the downhill site might also be tested. It was pointed out there is no "site." The Select Board will postpone its vote on the ballot question until the report is in.

The garage committee reported that they thought could prepare the site for the following materials only costs:

- Burying the electric conduits (@ ~\$8/foot); \$9000
- Materials to place blocks to hold fill, and filling an area near the dumpsters (with fabric underneath) to facilitate dumping; \$21,000 plus cost of the concrete pad
- At the site of the garage itself, gravel over fabric: \$12,000
- Graveled driveway with culvert (300', 22' wide); \$3000

Total materials cost: <\$50,000

Mr. Whitman thought the town crew could provide the labor. Mr. Kiernan reported that materials plus labor (about two weeks' time), if handled by the town, comes to about \$179,158 (vs \$344,496 as proposed by MSK Engineering) for the garage alone. Add the transfer station, and the total comes to \$253,890 vs the original proposed \$505,133 for site preparation. Perhaps some contracted bartering could also be arranged.

Mr. Kiernan noted that the existing attendant shed can be moved. It is not necessary to replace it. Demolition of the transfer station and two residences will be contracted out.

As for staging, transfer station goes in first.

It appears the required bond might total about \$600,000.

12) FY18 Budget

Mr. Kiernan reported that he'd been able to reduce the proposed budget by \$16,000 (though the rescue squad line item will add back \$7500).

13) Update: Tobacco Free Workplace

Mr. Kiernan approached the road crew for their thoughts on revising the tobacco products policy by prohibiting spitting on town property. He received no resistance. This extends the existing policy against smoking on town property.

Mr. Race moved to amend the tobacco policy to new draft (see attached). Mr. Krulikowski seconded. The motion passed 5-0-0.

13) Other Business

Thyme Tables submitted its annual liquor license request. Mr. Whitman moved to approve the license. Mr. Krulikowski seconded the motion, which passed 5-0-0. Members of the board signed the license.

Mr. Kiernan reported that he'd received a highway and bridge restriction filing form. The town has no restrictions. Mr. Kiernan will file the return without changes.

Mr. Scoggins heard from a gentleman who wants the town to declare a "school choice" week. He asked the board if there is any interest in pursuing such a declaration. No interest was expressed.

14) Review of Action Items

Old:

- Put community appropriations policy on the town website: to be done after the election.
- Garage committee did indeed review costs of site preparation at the proposed garage site.
- A decision re health care for town clerk was made.
- No decision on Shires Housing project needed at this time. (Mr. Harrington said he thought the sight distance at McCarthy Rd. needs review, and the road needs to be widened. Mr. Scoggins will draw the DRB's attention to these matters.)

New:

- Look at Bennington Rescue Squad budget – maybe a town liaison is needed.
- Send minute corrections to TA.
- Mr. Scoggins will notify DRB of board concerns re Shires Housing.

15) Executive Session Personnel

Mr. Race moved to enter executive session re new public works employee. Mr. Krulikowski seconded the motion, which passed 5-0-0. 857PM

16) Adjournment

Mr. Scoggins made motion to adjourn at 925PM. Seconded by Mr. Race. Motion passed 5-0-0.