

Shaftsbury Select Board

September 16, 2019

6:30 pm

- 1) The meeting was called to order at 6:34 pm. Present were Select Board members Tim Scoggins, Ken Harrington, Art Whitman, Joe Barber, and Tony Krulikowski. Also present was town administrator David Kiernan.
- 2) Conflict of interest statement
No one reported a conflict of interest with any item on the agenda.
- 3) Minutes
Mr. Krulikowski moved to approve the June 20, 2019 minutes. Mr. Whitman seconded the motion, which passed 5-0-0.
Mr. Krulikowski moved to approve the June 3, 2019 water board minutes. Mr. Whitman seconded the motion, which passed 5-0-0.
Mr. Krulikowski moved to approve the June 3, 2019 select board minutes. Mr. Barber seconded the motion, which passed 5-0-0.
Mr. Krulikowski moved to approve the July 1, 2019 minutes. Mr. Whitman seconded the motion, which passed 5-0-0.
- 4) Warrants
Check warrant #6, \$92,956.22: Mr. Krulikowski moved to approve the warrant. Mr. Whitman seconded the motion, which passed 5-0-0.
Check warrant #7, \$372.90 (for petty cash): Mr. Krulikowski moved to approve the warrant. Mr. Whitman seconded the motion, which passed 5-0-0.
Payroll warrant #5, \$21,290.09: Mr. Krulikowski moved to approve the warrant. Mr. Whitman seconded the motion, which passed 5-0-0.
- 5) Announcements
Mr. Scoggins noted that the Planning Commission will hold a hearing for the new Town Plan on September 24, 6 pm, Cole Hall.
Data on the broadband survey has been placed on the town website.
- 6) Public comments
Stanley Williams of Spur Rd. said he was penalized for a late homestead declaration that was not his fault. Mr. Scoggins told Mr. Williams that such issues are put before the Board of Civil Authority or Board of Abatement. Mr. Kiernan asked Mr. Williams to ask the Town Clerk to make copies to share with Mr. Kiernan. He will find out what the next steps are.
A citizen on the town's energy committee reported that 350 Vermont will give towns grant monies to plant a tree on town or school grounds, with an accompanying plaque explaining that trees contribute to combating global climate change. She asked that such a tree be planted on Cole Hall lands. Mr. Kiernan said Cole Hall would be undergoing renovations to its outdoor setting in upcoming months and recommended asking the school instead.
A citizen who lives behind Dailey's said it has been noisy lately, especially on Labor Day. Summer noise woke them up at night. She asked that a noise ordinance be considered. Mr. Scoggins said they'd research whether an ordinance can be put to the voters upon receipt of a

certain number of petition signatures. Another citizen complained that some Dailey machines emit a disturbing back-up alarm.

A citizen said seven foot tall poles near Mr. Odell's land on Grove Road are an accident waiting to happen. Mr. Kiernan said the road crew would look at it right away.

7) Treasurer's report

Melanie Dexter reported on cash flow: more than \$250,000 in tax payments have come in, about fifteen of them via use of credit cards. More water payments are being made with a credit card as well. Ms. Dexter said she has collected about 20-25 tax bills returned by the post office as undeliverable. She asked that citizens contact her if they haven't received their tax bills and reminded citizens that it is their responsibility to pay their taxes.

She will not need to access the line of credit.

Sullivan & Powers, our auditors, were in the office last week. They plan to report in December. Mr. Kiernan reported on the difficulty of valuing such things as dirt roads, culverts, a structure built in 1834, and so on – as required by Government Accounting Standards Board (**GASB**) 34, with which towns should comply (though there is no practical value in it for the town).

8) Chief Vadakin – Review Fire Truck Bids

Joe Vadakin shared two fire truck bids, from E-1 and Toyne, with the board. He found issues with both bids. Many of the issues have been resolved, but other significant matters were not. In the end, Chief Vadakin recommended going with the Toyne truck bid. Mr. Barber noted that the town's insurance (through VLCT) will not replace a customized truck such as the one under discussion – though Mr. Kiernan noted that the insurance requires replacement by a similar truck suiting our needs. Mr. Whitman moved to proceed with the purchase of the fire truck presented in the bid by the Toyne at a cost of \$394,981. Mr. Krulikowski seconded the motion, which passed 5-0-0. The used truck will be sold. \$58,000 of that sale price will be used to buy the new truck. The remainder will be moved to the reserve plan. Mr. Whitman noted that the purchase of the new truck will cost the taxpayers nothing more in taxes.

9) Broadband Discussion

Mr. Scoggins attended a meeting re the new broadband grant program. He was reminded that the town cannot obligate taxpayer money to build telecommunications equipment. It remains illegal. What can work is still very much unclear – except for the model represented by EC Fiber, a communications union district, or Newbury's communications district. Mr. Scoggins is starting to think that it is too early for Shaftsbury to apply for one of the three grants available from the state this year; the town isn't far enough along to apply. The application for first round funding is due late October.

10) Roads report

The town has learned that the guard rail on North Road must meet certain state specifications and has become much more expensive as a result. Cross Hill Road work will start around Sept. 19. Myers Rd. apron repaving is moving ahead. Stone pillows will be placed on Myers during the week of Sept. 23. Shaftsbury Hollow Road work will also begin the week of Sept. 23. The Trumbull Hill underdrain construction is scheduled for the first week of October. The underdrain on West Mountain Road will be addressed in October, as will the bump on White Creek Rd.

Covers for four trucks might cost as much as \$2500 each. These expenses are not in the budget. Mr. Harrington said he believes covers are a waste of money, that maintaining control of the contents is the driver's responsibility. He said covers would not keep gravel on the truck while going over the bump. Mr. Whitman said he'd like to table the discussion until he reaches out to the Vermont Truck and Bus Association to learn what their rules are. Mr. Scoggins said the rule is "must be secured," but gives no detail as to what that means. Mr. Kiernan said he has been told by VLCT that tarping is the best practice.

Mr. Kiernan asked the board for permission to join a class action suit against International and to join in the Maxforce engine settlement. It could yield rebates at essentially no cost other than the time it takes to sign the document. Mr. Whitman moved to join the class action suit against International and to join in the MaxForce engine settlement. Mr. Barber seconded the motion, which passed 5-0-0.

11) Retention of Legal Counsel to Address Zoning Violation

Mr. Kiernan reported that multiple copies of a potential violation have been issued to an individual who seems to be running a business from home. The individual in question said all the activity on his property is for personal use only. The business is advertised on Facebook. At this point, we could simply fine the individual \$200 daily, but we would prefer that the individual apply for a home occupation permit before the DRB. Mr. Kiernan asked for permission for the planning commission and its officer the zoning administrator to contract with our attorney to pursue the violation.

12) Discussion – Contract Sheriff to Address Summons for Unlicensed Dogs

Mr. Kiernan suggested we contract with the county sheriff to issue summonses to owners who have ignored repeated requests to license their dogs. He said he was considering suggesting changes to the bylaw which would allow the town to recoup legal costs. If the board agrees to move forward, Mr. Kiernan and the sheriff will work on a resolution to be presented to the Select Board. The board offered no objection to the proposal.

13) Other business

There was none.

14) Review of action items

Releasing funds from the cemetery trust fund and the health fund: our attorney has filed the necessary paperwork with the judge.

The existing water rate will go unchanged while the replacement of the water mains is planned.

Mr. Kiernan will look into stakes place in Grove Rd.

Mr. Kiernan will further explore hiring the sheriff to issue summonses to some dog owners.

Mr. Whitman will research town truck covers.

15) Adjournment

Mr. Harrington noted that the Village of Manchester requires tarping on its trucks.

Mr. Whitman moved to adjourn at about 8:05 p.m. Mr. Harrington seconded the motion, which passed 5-0-0.