

Shaftsbury Select Board  
January 20, 2020  
6:30 pm

1) Call to order at 6:32 pm. Present were Select Board members Tim Scoggins, Ken Harrington, Art Whitman, Tony Krulikowski, and Joe Barber. 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 minutes for January 6, 2020. Mr. Whitman seconded the motion, which passed 5-0-0. Mr. Krulikowski moved to approve the minutes for January 13, 2020. Mr. Barber seconded the motion, which passed 5-0-0.

4) Warrants  
Check warrant #19, \$50,315.08. Mr. Krulikowski moved to approve the warrant. Mr. Whitman seconded the motion, which passed 5-0-0.

5) Announcements  
Mr. Whitman noted that the annual winter festival will be held in North Bennington on Saturday January 25. The Polar Plunge will begin at 11 a.m. at Lake Paran.  
Mr. Scoggins noted that open offices are and will become available on the Planning Commission and DRB.

6) Public comments  
None.

7) Treasurer's report  
Ms. Dexter transferred cash from the reserve cash fund to the general fund to cover checks. Delinquent taxes have come in in large sums, but are mostly collected now. A new "restoration fund" has been created in the reserve fund category, per state requirement, which will be used in future to maintain town records. It represents a state-mandated portion of the town clerk's funds.

Mr. Kiernan said the town spent about 1.8% more than it had planned on culverts and other road expenses.

8) Road reports

- Road conditions  
Mr. Kiernan said conditions went from total mud to frozen. He said he appreciated the patience of residents, and especially those who thanked the road crew. As they have done in the past, the crew will address the sites that are the worst in the winter when the summer field season comes. Mr. Scoggins wondered, in the context of changing winter weather, whether the Class 3 road budget line is large enough. Mr. Kiernan said the town could repair roads equaling the length of 2.5 football fields every year without grants.

- 2021 single axle truck discussion  
Mr. Whitman said he went to DeLurey and with their help got some specs and prices for various trucks. He learned that the more expensive larger truck under consideration would cost

essentially much less to operate per load of sand than the smaller truck (about \$27/yard versus \$44/yard). It was agreed that the town would pursue the purchase of the larger truck. It has already gone out to bid.

The Hollow Hide-away bridge project will be postponed to 2021, with the state's approval. The state has requested significant changes to the design.

#### 9) FY 21 Budget vote by Select Board

The board discussed the costs of bad mud seasons/bad winters. Mr. Scoggins said the Class 3 road fund has been used as match for a significant number of grant dollars. The existing \$55,000 in the proposed Class 3 Road fund seems, he said, too small. He suggested \$100,000 instead. Mr. Whitman asked about how much an additional penny in taxes would generate; Mr. Scoggins said \$40,000. Mr. Whitman suggested a half-cent raise over the present proposed budget – about \$25,000 or so.

Mr. Kiernan noted that they have exhausted all the road reserve funds this fiscal year, and that they will be about \$5000 over budget.

Mr. Scoggins moved to increase the Class 3 road fund from \$55,000 to \$100,000. Mr. Krulikowski seconded the motion. The vote carried 4-1-0, with Mr. Harrington voting "no."

Mr. Kiernan said he changed a couple of things in the water revenue line. The original number assumed heavy involvement by the DPW; instead, the town has two possible highly qualified candidates to replace Jim McGinnis (meaning the need for DPW assistance will be much smaller), and he therefore projects a cost half that of the original number.

Mr. Kiernan said he removed a grant item of \$10,000 from the revenue line as, on consideration, it seemed unrealistic to assume we would receive those funds.

Mr. Krulikowski moved to approve the proposed FY 2021 budget, which calls for expenditures of \$2,235,957 (including an increase of \$45,000 to the Class 3 Road fund). Mr. Whitman seconded the motion, which passed 4-1-0, with Mr. Harrington voting no.

Mr. Whitman said he welcomes comments on the budget from the citizens at Town Meeting.

#### 10) 2020 warning for Town meeting

The board agreed to start town meeting at 6:30 p.m. (The new school district is hold their meeting at 6:45p in Bennington.) Mr. Scoggins said the ballot would include the items: taxes due November 6, 2020; the budget voted tonight less community appropriations (voted by Australian ballot the next day at the polls); the ballot will lack references to the compensation for the listers, constables, and Select Board stipends as it is not a comprehensive list and there is no reason to call them out; the ballot will lack a reference to being allowed to borrow in lieu of taxes as it is written into state statute.

Articles include

- Should the town join the CUD, with the idea of getting grants and loans and trying to attract an ISP to offer internet service in the region to those who don't have it. By statute, the CUD cannot tax.
- Shall the town adopt the budget by Australian ballot?
- Shall all monies in the cemetery reserve fund be transferred to a new cemetery capital improvement reserve fund? (The original reserve fund wasn't properly created and funds cannot be withdrawn from it as a result.)
- The community appropriations.

Mr. Krulikowski moved to approve the warning as described. Mr. Barber seconded the motion, which was approved 5-0-0.

11) Internet: CUD on March Ballot

12) Other Business

Mr. Whitman asked whether the Town should join in on a resolution from VLCT that includes, among other items, that tax revenues from the sale of marijuana should be shared among all communities in the state rather than just with those towns in which the retail establishments are located; and that sufficient time should be given for towns to chart their course re legalization and bylaw amendment. Mr. Whitman said he is concerned regarding the safety effects of marijuana on drivers. It was agreed that the board will review the text and address it at a later meeting. Mr. Barber said he thought locally grown or homegrown marijuana might be safer than industrial marijuana.

Mr. Scoggins said he learned that the recycling bins at the transfer station are not emptied frequently enough and, as a result, recyclables end up in the trash bins. The town does not pay for recycling. Mr. Kiernan said this has been corrected. He also brought the matter to the attention of the Solid Waste Alliance and wondered if Casella should be addressed by the group in its entirety. He said the town's contract with TAM ends in a year and a half and may need to be entirely restructured. Mr. Whitman will personally reach out to Trevor Mance.

Road weight limits for the winter? The board consensus was to not impose restrictions.

Mr. Krulikowski moved to sign the certificate of highway mileage stating the town has 0 miles of class 1 roads, 19.99 miles of Class 2 roads, 54.44 miles of Class 3 roads, and 15.84 miles of state highway. Mr. Barber seconded the motion, which passed 5-0-0.

Mr. Kiernan said we need a swap shed, a new shed for the transfer station operator, and a shed for storage at the fire house. He asked for approval to spend up to \$20,000 from the Hawkins Fund for the three sheds. There is \$128,062 in the Hawkins fund, which is for discretionary use by the Select Board. Mr. Kiernan will bring a formal proposal to the board.

Mr. Kiernan will start looking for money to replace all the church windows in the building, which are the biggest drain on energy use now. He hopes to spend around \$14,000 on each window. The existing windows might be sellable.

Mr. Kiernan said he'd learned the church in center Shaftsbury was deeded to the Shaftsbury Historical Society in 1968 and is theitd to do with as they wishes. The board encouraged the Society to send a representative to the Select Board to inform it of their intentions regarding the church. (Rumor has it that it is for sale.) Mr. Kiernan said it is the second oldest Baptist church in the state.

13) Review of action items

Mr. Whitman will call Mr. Mance re issues at the transfer station.

The board will study the cannabis resolution recommended by VLCT.

14) Adjournment

Mr. Krulikowski moved to adjourn at 7:52 p.m. Mr. Barber seconded the motion, which passed 5-0-0.