

Shaftsbury Select Board
February 3, 2020
6:30 pm

- 1) Call to order at 6:30 pm. Present were Select Board members Tim Scoggins, Art Whitman (via telephone), and Tony Krulikowski. Also present was town administrator David Kiernan. Around ten people were in the audience.
Tim Scoggins announced that the agenda would be abbreviated given that two selectmen were ill and a third was calling in while on travel.
- 2) Conflict of interest statement
No one reported a conflict of interest with any item on the agenda.
- 3) Minutes
Postponed.
- 4) Warrants
Check warrant #20, \$163,648.25. Mr. Krulikowski moved to approve the warrant. Mr. Whitman seconded the motion, which passed 3-0-0.
Payroll Warrant #15, \$26,719.68. Mr. Krulikowski moved to approve the warrant. Mr. Whitman seconded the motion, which passed 3-0-0.
- 5) Announcements
Positions are open on the Planning Commission and the Development Review Board.
- 6) Public comments
Several citizens expressed passionate concern about two issues:
 - 1) The new time of town meeting at 6:30p conflicted with the new school district meeting in Bennington at 6:45p.
 - 2) The Selectboard had placed on the Australian ballot the question:
 - a. Shall the Town of Shaftsbury decide all budget articles by Australian ballot?

Re 1): Tim Scoggins responded by saying that the school district meeting left the town with no good options for allowing people to attend both meetings. The options were 5p, 8p, or another day. The board decided a more convenient time would encourage participation.
By show of hands, all of the roughly 10 in attendance wanted the meeting at 7:30p. The board was unsure if they could still change the warning. After debate and compromise, a procedural fix was proposed by McClintock. The board moved unanimously to call town meeting to order at 6:30p, in accordance with the warning, and immediately recess to 7:30p. The citizens present offered to arrange a potluck supper during the recess and to help spread the word about the change.

Re 2): Objections to the ballot question centered around:

- a. Town meeting is important as it is and moving the budget vote to the ballot would destroy town meeting.
- b. The question of moving the budget vote must originate on the floor and not on the ballot. McClintock provided statute and history to support this opinion.

Scoggins responded that the board used written legal opinion from VLCT and information on the Secretary of State website to decide that this and other "public questions" are properly decided on

the ballot. McClintock and others countered that Shaftsbury had never decided to move public questions from the floor to the ballot. While the Sec of State website says that Shaftsbury has, the town clerk has not been able to find the supporting documentation. Given the potential for “defective process” and the strong feelings on the issue, the board moved unanimously to withdraw the question from the ballot.

7) Treasurer’s report. postponed

8) Road Reports

- 2021 Single Axle truck bids opening

The sole bid from DeLurey Sales and Service was \$151,575. Mr. Kiernan asked to have the bid reviewed by the DPW foreman. No one objected.

9) Internet: CUD on March Ballot. Postponed.

10) VLCT Cannabis Resolution. Postponed.

11) VCDP Accessibility Modification Grant Application. Postponed.

12) Other Business. Postponed.

13) Review of Action Items. Postponed.

14) Adjournment at 8:50p