

Shaftsbury Select Board  
May 18, 2020

1. Call to Order

The telemeeting was called to order at 6:32 p.m. Present were selectmen Tim Scoggins (chair), Ken Harrington, Tony Krulikowski, Art Whitman, and Joe Barber. Also present was town administrator David Kiernan and Melanie Dexter.

2. Conflict of Interest Statement

By polling, Mr. Scoggins confirmed that no one reported a conflict of interest with any item on the agenda.

3. Minutes

Mr. Krulikowski moved to approve the minutes for May 4. Mr. Whitman seconded the motion. Upon polling, the motion was approved 5-0-0.

4. Warrants

Check warrant #30, \$42,282.07. Mr. Krulikowski moved to approve the warrant. Mr. Barber seconded the motion, which upon polling passed 5-0-0.

Payroll warrant #3, \$21,381.79. Mr. Krulikowski moved to approve the warrant. Mr. Harrington seconded the motion, which upon polling passed 5-0-0.

5. Announcements

Mr. Kiernan noted that Green Up Day, its 50<sup>th</sup> anniversary, will be held May 30. Bags are available outside the Cole Hall door. Families are asked to take no more than five bags.

Mr. Scoggins said Jenny Rozycki emailed the board that the McCullough Library will shortly begin lending items that can be picked up curbside. The Bennington Free Library also provides that service.

The polling place for the August and November elections will be moved to the Town garage. All voters are encouraged to vote via absentee ballot. Ballot requests can be made at the state's my voter site, which can be accessed via a link on the town website. Ballots will be sent out 45 days before the elections.

6. Public Comments

There were none.

7. Treasurers Report

Melanie Dexter presented her reports. One of the schools sent in \$50,000, improving the cash flow situation. We will get through the end of the year, but will need to pinch pennies.

A CD for a new water truck matured.

Mr. Kiernan said the tax collector told him that collections are \$121,000 this year versus \$127,000 at this time last year.

8. Emergency Manager Report – Paul Dansereau

Mr. Dansereau wasn't able to attend. Mr. Scoggins shared information from him, including that the state's Stay Smart Stay Safe program has been extended to June 15. Some parks have been opened, including the town's parks – where social distancing must be practiced, groups are limited to ten or fewer, no contact sports are allowed, and no team sports are allowed. Notably, there are no restrooms available and the playground is closed.

## 9. Town operations report

Cole Hall is still closed except to researchers, one at a time. Mr. Kiernan said this will probably remain the case for the foreseeable future.

## 10. Expansion of roadside commercial – PC

Mr. Whitman said he is disappointed that the Planning Commission didn't extend the zone northward. The town needs commerce. While it may be good for the cluster of businesses at Route 7A and Hidden Valley to remain residentially zoned, it won't be good for the town if in the future they go out of business. Mr. Harrington said he agreed with Mr. Whitman, and that the area northward offered more potential than the proposed southern extension. Mr. Barber thought the southern extension offered few opportunities. Mr. Krulikowski said he agreed with Mr. Whitman. The Board decided to ask the Commission to attend a Select Board meeting.

## 11. Roads Report

Mr. Kiernan said all the dirt roads have had at least one round of spring grading and a second is underway. Chloride has been placed on most of the roads. Ditching has begun, and all will be seeded and mulched. Broken and stolen signs are being replaced. All plowing equipment has been cleaned and put away for the season. The foreman and Chris Taft from Vtrans have been planning repairs at several locations. Hydraulic studies have been requested for Cider Mill and Laclair Road culverts. The blacktop plant will open this week and pothole patching will begin. Unsafe trees will be taken down. Mowing and general park maintenance are underway. There are some issue with the John Deere grader.

Mr. Whitman said he talked to DeLurey's about the older tandem. He said the major repairs probably won't be needed again. DeLurey's said they charged the town for a triple charger that hasn't yet been installed. Mr. Kiernan said he'll ask the DPW foreman if he still wants that equipment.

Mr. Harrington said new oil pans might be sandblasted and coated with fiberglass. Mr. Whitman says he replaces them with stainless steel when they wear out. Stainless steel may be an option originally.

## 12. Animal Control Ordinance

Mr. Kiernan suggested using the VLCT template to revise the ordinance. Importantly, the animal control officer would like to add a "potentially vicious dog" section to the ordinance. The officer is reviewing other proposed changes.

## 13. Ordinances

The town's policy and ordinance manual has many out of date contents, which Mr. Kiernan would like to repeal or rewrite.

- a) The continuing education policy was written in 1992 and hasn't been used for more than a decade. Mr. Kiernan pointed out that a credited on-line course could cost about \$3000. Mr. Krulikowski suggested using the UVM rate for college courses. Mr. Whitman moved to instruct Mr. Kiernan rewrite the policy. Mr. Krulikowski seconded the motion, which upon polling passed 5-0-0.
- b) Limits to liability coverage policy is now covered by the town's PACIF policy. Mr. Whitman moved to rescind the policy. Mr. Harrington seconded the motion, which upon polling passed 5-0-0.
- c) The 1997 supplemental summer highway overtime policy required the Select Board to approve summer overtime of any quantity. Mr. Whitman moved to rescind the policy. Mr. Harrington seconded the motion, which upon polling passed 5-0-0.

- d) The 1988 Civil Defense policy should be repealed as state regulations have long since superseded it. Mr. Whitman moved to rescind the policy. Mr. Harrington seconded the motion, which upon polling passed 5-0-0.
- e) The 1993 ADA grievance policy has never applied to the Town as it lacks the minimum number of employees to trigger the law. Mr. Whitman moved to rescind the policy. Mr. Harrington seconded the motion, which upon polling passed 5-0-0.
- f) The delinquent tax collection timing of deposits requires a schedule that conflicts with state law. Mr. Whitman moved to rescind the policy. Mr. Harrington seconded the motion, which upon polling passed 5-0-0.
- g) The temporary closing of highways policy has been discussed and deemed unnecessary by the Select Board since other measures have been adopted. Mr. Kiernan suggested the policy be rescinded. Mr. Whitman moved to rescind the policy. Mr. Harrington seconded the motion, which upon polling passed 5-0-0.
- h) The health care policy of 2002 has been superseded by the Policies and Procedures policy. Mr. Whitman moved to rescind the policy. Mr. Barber seconded the motion, which upon polling passed 5-0-0.

#### 14. Other business

Mr. Kiernan will be meeting with the Rec committee this week and will devise some bid documents related to Howard Park and a bequest for the Park for review at the next meeting.

Mr. Whitman asked how to plan for possible tax shortfalls. Mr. Kiernan said the town has dispelled all debt except for the garage, and is going into the situation in a strong position. The wild card is state support going forward.

Mr. Scoggins asked whether the cemetery committee has been pursuing headstone cleaning. Mr. Kiernan said a number of stones have been cleaned. The new contractor is doing good work.

#### 16. Review of Action Items

- The Planning Commission will be invited to attend a meeting to discuss roadside commercial going northward.
- We will review the animal control ordinance when the officer has had a chance to make comments.
- Mr. Kiernan will rewrite the continuing education ordinance.

#### 17. Adjournment

Mr. Harrington moved to adjourn at 7:45 p.m. Mr. Whitman seconded the motion, which upon polling passed 5-0-0.