

Town of Shaftsbury Town Meeting

Floor Meeting

March 6, 2023

In person at Shaftsbury Elementary School and via Zoom

Business to be transacted:

1) Call to order

Moderator Tom Daly called the meeting to order. All rose and recited the Pledge of Allegiance. Mr. Daly asked all to silently acknowledge with gratitude the gift of democracy.

Mr. Daly introduced the Select Board: Art Whitman, Martha Cornwell, Tony Krulikowski, Joe Barber, and Mike Cichanowski were present.

Mr. Daly thanked those who brought food for the potluck.

Representative David Durfee gave an update on activities in Montpelier. A couple of issues he noted: that in terms of high-speed internet service, Bennington County is well ahead of the rest of the state and Shaftsbury is about 90% connected; and the child care system is under review this session. Mr. Durfee is chair of the agriculture, food resiliency and forestry committee. He said Vermont is in pretty good fiscal shape, having benefitted from pandemic relief funds and a strong sales tax revenue stream.

By unanimous consent, the reading of the warning was dispensed with.

Mr. Daly explained the process of making motions, seconding motions, and voting. Only those present at the school and registered to vote are allowed to vote. Only residents of the Town may participate in the meeting in any way.

2) Reports of the Town Officers and take action thereon

Mr. Daly noted that all reports are contained with the print version of the annual report. He asked for a motion from the floor to accept the reports as presented. The motion was made, seconded and passed unanimously.

3) To determine

a) Shall Selectboard members each receive an annual stipend of \$750?

b) Shall the Board of Auditors be paid a wage at the rate of \$15/per hour?

c) Shall the 1st and 2nd Constable be paid a wage at the rate of \$15/hour?

Mr. Daly sought and received a motion and a second to consider the item in its entirety.

Ms. Mellinger moved to amend the motion to give selectpersons \$1000 annually. The motion was seconded by Maureen McClintock. The amended motion passed unanimously.

The amended motion and items b and c passed unanimously.

4) Shall the Town authorize collection of taxes on real or personal property by its Treasurer, which are due in hand on or before Friday November 10, 2023 at 5 p.m. or likewise postmarked no later than Friday November 10, 2023?

Mr. Daly sought and received a motion and a second to approve the item, which passed unanimously.

5) Shall the Town appropriate the sum of \$2,527,046 to defray the Town's general and highway expenses for Fiscal Year 2024, the amount of such sum to be raised by property taxes and to be reduced by non-tax revenues and reserve funds?

Mr. Daly sought and received a motion and a second to appropriate the sum \$2,528,296 (a change in item 5 to reflect the increase in the selectperson stipend). Mr. Whitman offered a report on the activities of the Select Board and explained the budget.

- He noted that in the last year the town voted to do away with the listers office. He thanked the new assessor, Gina Jenks, for increasing the grand list by more than \$4 million by catching up on permit review. A reappraisal has been contracted for 2025.
- After six years of engineering, a culvert at Hollow Hideaway was replaced, despite a flood event during the construction process. New road equipment was purchased, including a mower that will allow the road crew to mow frequently rather than the once or twice yearly possible in the past.
- A number of new projects are in the works, including improvements at Howard Park and tree work. Sinking funds are maintained for new equipment, such as a new firetruck.
- Village residents buy their water from North Bennington. That community recently increased fees and insisted that Shaftsbury make payments on a bond payment for work in North Bennington. After mediation, Shaftsbury has been found not liable for payments on the North Bennington bond.
- The existing water system dates to the 1930s. Over the next several years, in three phases, the entire system of mains will be replaced. Phase 1 will replace mains from near the old Howard art museum, north to Church Street, and then west to Route 67.
- A survey of how the town could best spend American Rescue Plan Act (ARPA) funds discovered a community-wide desire for a community meeting place. The Town therefore purchased the parcel adjacent to Cole Hall using ARPA funds. An economic development committee and a Cole Hall committee have been formed to decide how best to accomplish the goals outlined in the survey results and to renovate Cole Hall.
- Mr. Whitman explained the budget as represented by a pie chart in the annual report.
- He noted that last year's over \$2 million budget was off by only \$24,000.
- FY 2024's budget is larger by about 5.5%, lower than the rate of inflation. For the last seven years the town budget has not risen by more than the rate of inflation.

Mr. Korman asked if public meetings on spending the ARPA funds are to be held. Mr. Whitman reported that the economic development committee has had one meeting. It has decided to pursue hiring a consultant to help the committee move forward. Public meetings will be held. The committee will consider placing ARPA expenditures on the ballot.

Mr. Whitman responded to questions from Jennifer Hoffman that both Bennington and Arlington Rescue Squads are now line items in the budget rather than in the community appropriations list.

It was suggested that Cole Hall be a high priority for ARPA expenditures. The community meeting place should take second place. Selectperson Cornwell responded that the committee hopes to find matching funds to help address the whole panoply of needs. Town administrator Kiernan said the ARPA funds have to be spent by 2026.

Alice Miller asked about the former medical center. Mr. Daly said its future remains an open question.

Mr. Daly asked for a vote on the amended budget. The motion passed unanimously.

Mr. Whitman reported that the March 7 ballot will contain several articles.

Water bond

He said the bonding company for the improvements to the water supply system requires the community to guarantee the bond although the bond will be repaid by the users of the water system.

Mr. Whitman outlined the proposed changes to the zoning bylaw related to

- Accessory dwellings
- "Tiny homes" are to be considered as manufactured housing
- No new shooting ranges. The change does not affect Hale Mountain Rod and Gun Club.

- Giving the zoning administrator the power to approve minor changes to a permit originally issued by the DRB. Abutters will be notified.
- Open space design is now required for certain subdivisions.

Jonathan Hoffman asked about open space design. Chris Williams, chairperson of the Planning Commission, explained that the proposal only applies to subdivisions, not to development unrelated to subdivisions. Jenifer Hoffman said the regulation would only restrict the production of needed housing. Mr. Williams said the requirement makes open space design a requirement in certain situations where before it was only voluntary.

Community appropriations

Mr. Whitman clarified that the community appropriations list simply reflects requests made to the Town, not requests approved by the Select Board. Mr. Whitman noted that the sum is significant.

Sarah Wilson spoke on behalf of the Bennington Free Clinic. The Clinic serves Bennington, North Bennington, and Shaftsbury residents.

Curt Merrill spoke on behalf Habitat for Humanity, which as of November has built 32 houses in Bennington County and repaired and restored several others. Habitat serves people earning between 30 and 80 percent of median income. He thanked citizens for their past support.

Cindy Tuhmaier spoke on behalf of Sunrise Family Resource Center and thanked citizens for their past support.

Alan Baker, who hosts a show on food on WBTN, invited anyone with a passion to share to volunteer to host a program. He urged citizens to support their appropriation request.

Mark Lorie spoke on behalf of WBTN. He said all who work there are volunteers.

Jenny Rozycki and Giselle Guyette spoke on behalf of the John G. McCullough Free Library.

6) To transact any other non-binding business as legally may come before said meeting at this time.

Solar project

Mr. Daly said he preferred that a motion be made and seconded and then discussed. He will limit comments to three minutes. Mr. Albus made a motion: "As presented by Freepoint Solar, we the people of Shaftsbury do not support the Shaftsbury solar project." From the audience, Mr. McClintock said the motion should be that "the Select Board and the Planning Commission intervene on behalf of the people of Shaftsbury." He said discussion would clarify for those bodies the sense of the meeting. Mr. Albus asked how the citizens could guarantee that those bodies act against the proposal before the PUC? Mr. McClintock said the evening's discussion could be shared with the PUC. Mr. Daly suggested the motion: "Shall the Select Board and Planning Commission be advised to intervene in their statutory party status on behalf of the town on the solar project." That motion was seconded. The ayes were in the majority.

The citizens proceeded to discuss their support or opposition to the solar project. Andrea Bacchi said she thinks the Select Board and Planning Commission should wait to get more information and simply deal with the facts.

Karen Mellinger spoke about a letter from the solar developer to Vtrans describing alternate routes to the project site, making use of Warm Brook Road and Maple Hill Road on the north and Buck Hill Road and East Road on the south. The letter says thirty –fifty vehicle trips will be made daily.

Tony D'Nofrio said the project would change the face of Shaftsbury.

Michael Albus described Holy Smoke Road: narrow in places, covered in trees, a hairpin turn where two cars can't pass at once, and beautiful fields where solar panels are proposed to be located. He said the construction would threaten the safety of users.

Bleeker Wheeler spoke about how lucky Shaftsbury residents are to live in a community where neighbors care about one another. He noted that the developer has not addressed issues raised by the community. How can the company be trusted?

Jesse MacDougal spoke. He said the original proposal did not take into consideration the N. Bennington water line or a deed restriction. It places substations on high points. It threatens roads and home values.

Peter Bosco said he opposes the project.

Alan Baker spoke. He noted that our energy comes from out of state and our money for that energy goes out of state.

Jenifer Hoffman expressed concern about herbicides contaminating the water supply.

A resident said the solar company has been involved in a bribery probe in Brazil. She said she doesn't trust the company.

Jennifer Scoggins said she would have a hard time making a decision without more information and guidance from the PUC.

Jonathan Hoffman expressed disbelief that the company might get a curb cut permit on Route 7. The project will completely change the neighborhood; it might even result in paving Holy Smoke Road. He said there's not enough data on how to control a fire on a solar farm.

Chris Williams of the Planning Commission noted that no formal application has been presented. The commission will indeed intervene. He compared the solar project to the controversy over the TAM facility, where the state also had a final say.

Jared Jacobs spoke.

Tim Scoggins said the scale of the project is concerning. Nonetheless, we need solar power to fight climate change. The challenge of climate change is enormous. We may need to sacrifice somewhat.

Mary Beatty of Holy Smoke Road said she is concerned about electromagnetic radiation emitted by the solar panels.

Questions arose about how development would threaten hunting opportunities on the site. And how the use of herbicide will affect water quality on the site.

Another resident stated a large project is needed by the globe, but he has some caveats: the project should come off Route 7; the adjacent landowners should be reimbursed somehow; herbicides are an issue and the use of RoundUp should be prohibited. He is concerned that this company is not the right one for our town.

Travis Buttle spoke against clear-cutting the trees on the site. The project will set an unfortunate precedent.

Mr. McClintock said Mr. Harrington made a motion to vote up or down on the proposal, or, "does this assembly support the project." The motion was seconded. Mr. Daly asked for all those in favor of ceasing debate signify by saying "aye." The "ayes" were unanimous. Mr. Daly asked those in favor of the project to say "aye," those opposed to say "aye," and those abstaining to say "aye." The Select Board members said they hear and understood the response. Mr. Daly said it sounded like those opposed to the project were in the majority..

Mr. Taylor asked for a moment of recognition for Charlie Becker, who served for 75 years on the Shaftsbury Fire Department. The audience stood and applauded.

The meeting adjourned by acclamation at 8:57PM.