

Shaftsbury Selectboard Special Meeting

Monday March 13, 2023

Cole Hall and remotely via Zoom

1. Call to Order

Town administrator David Kiernan called the special meeting to order at 6:30 p.m. Present were selectpersons Art Whitman, Mike Cichanowski, Naomi Miller, Martha Cornwell (via Zoom,) and Tony Krulikowski.

2. Nomination of Select Board Officers

Mr. Krulikowski nominated Mr. Whitman as chair of the select board. Mr. Cichanowski seconded the motion, which passed 4-0-0. Mr. Cichanowski nominated Mr. Krulikowski for vice-chair. Ms. Miller seconded the motion, which passed 5-0-0.

3. Conflict of Interest Statement

No one reported a conflict of interest with anything on the agenda.

5. Rules of Procedure

Mr. Kiernan summarized the Rules, which must be approved by the selectboard annually. Mr. Krulikowski moved to approve the Rules. Mr. Cichanowski seconded the motion, which passed 5-0-0. Ms. Cornwell will sign all documents upon her return.

6. Liaison Assignments

No liaison is needed for Bennington Rescue any longer.

Ms. Miller will take Mr. Barber's place as liaison in the new year. Mr. Cichanowski will retain his assignments.

7. Appointment Policy Adoption

Mr. Cichanowski moved to approve the appointment policy. Mr. Krulikowski seconded the motion, which passed 5-0-0.

8. Appointment of Town Officers – 1 year terms

Mr. Kiernan listed the town officers and their posts: Ben Hulett (energy), and Kelly Coonradt (animal control). Cinda Morse asks that Ms. Cornwell be appointed in her place as BCRC representative when her term expires, and Ms. Cornwell has agreed. Jim White has asked that he be replaced as tree warden. A replacement is being sought. Mr. Cichanowski moved to approve Mr. Hulett and Ms. Coonradt. Ms. Miller seconded the motion, which passed 5-0-0.

9. Minutes

The March 2 minutes were tabled.

10. Warrants

- Payroll warrant # 18, \$29,628.52. Mr. Krulikowski moved to approve the warrant. Ms. Miller seconded the motion, which passed 5-0-0.
- Check warrant #30, \$70260.67. Mr. Krulikowski moved to approve the warrant. Mr. Cichanowski seconded the motion, which passed 5-0-0.

11. Announcements

Mr. Kiernan announced that the Clerk and Assessor offices will be closed all week. The town office will be closed on Tuesday.

12. Public Comments

Mr. Auschnitt asked that the Town run the meeting at which the solar developer will present the revised plans, that the developer release the revised plans before the meeting, and that they announce when they intend to submit a formal application.

13. Board response to VTRANS request for comments temporary access from US 7 to proposed solar field site.

Mr. Whitman reported that the Select Board has crafted a letter to Theresa Gillman at VTrans stating that the only access for construction on the solar site must be from Route 7, and that the use of any town roads is unacceptable. Mr. Kiernan shared the letter on the video screen. Mr. Auschnitt asked nearby town roads be posted. Mr. Whitman said only State Police could enforce a posting, and that it would apply to all vehicles, not only solar project vehicles. Mr. Albus asked what would the Town do if Vtrans does not issue a permit for a curb cut on Route 7. Mr. Kiernan said that would become a legal issue. Barbara Sarvis said more information is needed. Ms. Mellinger said a letter sent to VTrans by the developer noted that more than fifteen tractor trailers and bulldozers and others would be driven weekly to the site spring, summer, and fall. In response to a question, Mr. Kiernan said Fire Chief Vadakin is looking into what a fire at a solar array would entail. Mr. Cichanowski moved to approve and sign the letter to Vtrans. Mr. Krulikowski seconded the motion, which passed 5-0-0.

14. Shaftsbury Solar (Vermont Real Estate Holdings 1 LLC), Request for Public Meeting for presentation on project

Mr. Kiernan reported that Shaftsbury Solar would like to make a presentation at the school, an informal meeting not sponsored by the Select Board or the Planning Commission, at which various stations would be set up where company representatives and their consultants could answer questions on e.g. herbicides and other items of concern to the public. (Ms. Mellinger later elaborated that such concerns could include what the project will look like, where the staging area will be held, and what will happen right there on Holy Smoke Road. She asked the Select Board to require that such items be covered.)The company hopes to hold the meeting at the end of the month. They now propose filing the application with the PUC in April. On a question from the audience, Mr. Kiernan said it is his understanding that the public meeting is meant in part to inform Shaftsbury Solar on the final version of the proposal, but that certainly the company should provide their latest version before the meeting. A member of the audience said she thought the open house presentation is a way of dividing the citizenry. Mr. Kiernan said that the Stop Shaftsbury Solar group could sponsor their own open house. A citizen asked why the presenters couldn't develop a presentation covering each item sequentially, so everyone could hear their answers. Marcus Jones mentioned an alternative to solar and asked if a presentation couldn't be organized regarding the concept. A citizen said the size of oil tank farms at various ports have been greatly reduced.

15. Review of New and Continuing Projects:

- Grandview and Hawks Sidewalk Scoping Study

Mr. Whitman said a design, requested by a community group, has been engineered with funding from the State. It is ready to be presented and review. To accommodate Ms. Miller's schedule, it will be scheduled for April 25th. Several alternate plans each with projected costs, will be presented. Ms. Bullock of Grandview spoke. Ms. Mellinger recommended that a petition drive for grant funds be considered.

- Revised Speed Zone Ordinance

Mr. Kiernan reported that no more roads would be accepted for consideration.

- Revised Stop/Yield Sign Ordinance

Mr. Kiernan has begun work on the ordinance. It will likely come out in bits and pieces.

- Phase 1 Water Main Replacement

Plans have been revised and are now back in the hands of the State because “pipe-bursting” is now prohibited and trenching will be required. Mr. Kiernan hopes to construct Phase 1 in 2024.

- Howard Park Projects

Bids for drainage improvements, which make several other important improvements possible, will be in on March 20.

- Cole Hall Renovation

Mr. Kiernan hopes to issue an RFP for design shortly.

- Economic Development Committee

The committee will shortly review a draft RFP to hire a consultant to guide the committee through its work.

- Landfill Gas Vent Replacement Project

The vent system failed last autumn. A temporary fix was made which still functions. With a grant from the state, an engineer has been hired to design a replacement that will work. It has become a technically difficult project.

- Transfer Station Permanent Attendant Building

The Town has been leasing a trailer. Mr. Kiernan said he now thinks a pre-fab should be installed instead. It would allow the attendant to better monitor traffic.

- Culvert Replacement Granger Hollow at Shaftsbury Hollow

The bids will be opened on March 20.

- White Creek Road Engineering Study

We will need to hire a drilling company to conduct boring. The depression there seems to be slowly growing. Mr. Kiernan doesn't know yet how to fund that work.

- Sewer Feasibility study

Mr. Kiernan said the application is at a dead stop, sitting among a large pile of applications, in Montpelier.

16. Other Business

Mr. Whitman and Mr. Kiernan need to meet with the county sheriff to figure out how to secure the services the town needs from them.

A citizen noted that a hedge at Grandview and 67 obstructs views from the roads there. He noted that the rail crossing on Airport Rd. is also problematic.

17. Review of Action Items

Mr. Kiernan will share the meeting results with Shaftsbury Solar.

Bids will be opened on March 20.

A Select Board meeting will be held March 20. It may need to start at 5:30 to accommodate a water board meeting.

18. Adjournment

Mr. Cichanowski moved to adjourn at 8:10 p.m. Mr. Krulikowski seconded the motion, which passed 4-0-0.