

## **Town of Shaftsbury Select Board**

Monday, August 7, 2023

In person at Cole Hall and remotely via Zoom

### 1. Call to Order

The meeting came to order at 6:31 p.m. Present were selectpersons Art Whitman (chair), Mike Cichanowski, Martha Cornwell, Naomi Miller, and Tony Krulikowski. 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 July 6 2023 minutes. Ms. Miller seconded the motion, which passed 5-0-0.

Mr. Krulikowski moved to approve the July 17 2023 minutes. Mr. Cichanowski seconded the motion, which passed 5-0-0.

### 4. Warrants

Check warrant #5, \$40,371.29. Mr. Krulikowski moved to approve the warrant. Ms. Miller seconded the motion, which passed 5-0-0.

### 5. Announcements

There were none.

### 6. Public Comments

There were none.

### 7. Treasurers Report

Ms. Dexter reported that the tax bills are printed and ready to go out. They are due November 10. She invited citizens to pay early.

She said that just before the meeting she made the first draw on the Town's line of credit, to bring the cash balance nearer to \$100,000. (It is now at \$95,000+.)

Re the July cash flow, she said she moved a lot of money around between the general fund and the reserve account. The July cash balance was a little less than \$150,000. In the reserve fund, the ARPA fund continue to loom large, but, she said, the town has plans for how to spend those monies. The professional audit code references a time, many years ago, when there was no reserve fund for audit monies. It is essentially a non-number.

### 8. Roadside Debris – Trash Cans – Ordinance

Mr. Whitman noted that some meetings ago, it was drawn to his attention that garbage cans are left out for days at a time, and that trash has been spilling out of them onto the road. They are especially a problem in the wintertime.

Valerie Shemeth, of Cross Hill Road, shared photos of two pieces of furniture that have been along the road for at least two months. Mr. Whitman noted that the Town cannot pick up such debris; it would have to charge taxpayers for the disposal fee. Is an ordinance required? How would it be

enforced? he asked. Mr. Kiernan suggested an anti-litter ordinance. He wondered whether there might be a state ordinance that could be called upon.

Mr. Whitman said the DPW foreman brought to his attention a problem of garbage cans left out in Shaftsbury Hollow, where bears have learned to feed. Mr. Whitman said he'd spoken with a garbage collector, who finds the situation of garbage strewn about upon the road hard to manage.

Mr. Kiernan said an ordinance would require a witness to see a litterer actually littering; one can't assume that litter in front of a house belongs to the homeowner. He will look at how other towns handle the situation. Ms. Cornwell described how an ordinance might be essentially unenforceable. Ms. Shemeth wondered whether awards to those who comply might help instead.

Mr. Kiernan will research how other towns handle the issue and report back at the next meeting.

#### 9. DPW Report

Mr. Kiernan shared the DPW foreman's report. The Buck Hill project remains the highest priority. Six culverts have been replaced. Five remain. Paving will begin the first week of September, depending on asphalt availability at Peckham Industries. (The paving is behind schedule because of the paving of Route 279, asphalt for which has taken priority at Peckham.) Five town roads will be worked on in the next two weeks. Touching up in response to heavy rains goes on routinely. Morse Excavating will finish the work in Howard Park this week, weather permitting. Kurtz Excavating will be working shortly on Trumbull Hill. The crew did a great job preparing the "green" behind Cole Hall for use in the autumn. A fence will be erected at the green and also near the tennis court at Howard Park. Mr. Kiernan said the new dog park will be established on the east side of the Howard Park parking area but may not be built until next year. A great deal of drainage work has already been accomplished at the park. It will serve as the foundation for all future work there.

#### 10. Reappraisal Order VT Dept of Taxes

Mr. Whitman reported that the state has ordered Shaftsbury to reappraise. A formal acknowledgment of the requirement is required by the state. Mr. Krulikowski moved to so acknowledge. Mr. Cichanowski seconded the motion, which passed 5-0-0. Mr. Kiernan noted that the town has already contracted for the reappraisal and that the money sufficient for it has been accumulated over several years.

#### 11. GIA Grant Agreement

Mr. Kiernan said the newest grant-in-aid from the state in the amount of \$27,500 must be spent by September 2024. (The town usually gets one or two such grants annually.) The match required will be \$6875. The project to be undertaken will be chosen from an existing master list of road needs. Mr. Cichanowski moved to authorize Mr. Kiernan to sign the grant agreement. Ms. Miller seconded the motion, which passed 5-0-0.

#### 12. Bylaw Adoption process under Home Act – Discussion

Ms. Miller said the planning commission was told by BCRC staff that the new Home Act requires that the Select Board only may act on new bylaw changes, that changes may no longer go before the voters (unless petitions are filed). Mr. Kiernan will confirm what the new rule is. Mr. Whitman suggested that David Durfee be invited to comment on the Act at the next meeting.

#### 13. Other Business

Ms. Cornwell asked that the Select Board approve a press release drafted by the Economic

Development Committee. Mr. Krulikowski moved to approve the press release. Ms. Miller seconded the motion, which passed 5-0-0.

Ms. Cornwell reported that the Economic Development Committee has created a survey regarding what citizens want on the town green and in the new community center. It will be distributed on line and at various town locales. Board members agreed that the survey should go out "as is."

Mr. Kiernan asked the board to discuss whether the Hawkins Fund might cover the costs of the Enhanced Energy Plan. He will write up a request for the board to review at the next meeting. He will also draft a request to transfer funds from a Howard Park donation account to the park reserve fund. Two years ago the board approved an expenditure from the Hawkins Fund to build a structure for transfer station employees. Mr. Kiernan and Mr. Yannotti have come up with a different and much less expensive plan for the structure. He will bring in more information on that matter at the next meeting or the one after.

Mr. Whitman said next year it will be Shaftsbury's turn to host the Memorial Day parade. He said he asked the Town Clerk to take charge of the planning for that event. She agreed. It would therefore be an official town event. Mr. Cichanowski moved that the Town be the official organizer of the 2024 Memorial Day parade. Mr. Krulikowski seconded the motion, which passed 5-0-0.

Mr. Kiernan said Kofile has picked up the town charter document and is working on its restoration and preservation.

#### 14. Review of Action Items

#### 15. Adjournment

Ms. Miller moved to adjourn at 7:25 PM. Mr. Krulikowski seconded the motion, which passed 5-0-0.