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# Town of Shaftsbury

Municipal Offices at Cole Hall

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## Meeting Minutes

### Select Board

**Date of Meeting:** Monday, August 19, 2024 – 6:00 PM at Cole Hall

**Members Present:** Selectpersons Naomi Miller (chair), Mike Cichanowski, Brad Peacock, Martha Cornwell, and Tony Krulikowski. Also present were Town Administrator Paula Iken and Operations Coordinator Jen Holley.

1. Call to Order

The meeting came to order at 6 p.m.

2. Conflict of Interest Statement

No one reported a conflict on interest with any item on the agenda.

3. Minutes

Mr. Cichanowski moved to approve the August 5 minutes. Mr. Krulikowski seconded the motion. Changes: in item 12, "North Bennington Water Board." The amended motion passed 4-0-1.

4. Warrants

- PY 4 (Vmers) warrant \$2000.97. The motion passed 5-0-0.
- Check warrant 25-006, \$91,844.75. The motion passed 5-0-0.
- Payroll warrant POR04, \$26,689.22. Mr. Cichanowski moved to approve the warrant. Mr. Krulikowski seconded the motion, which passed 5-0-0.

5. Announcements

Carl Korman of the Shaftsbury Historical Society said August 20 is the 263<sup>rd</sup> anniversary of the founding of the Town. The Historical Society would like to begin to celebrate the anniversary beginning in August 2025, and wishes to establish an ad hoc committee to plan the celebration. He asked that anyone interested in serving on the committee contact him.

Ms. Miller said that after the close of the regular meeting, the first of two public hearings on the proposed Enhanced Energy Plan will be held.

6. Public Comments

Mr. Deltoso of Bank Street said there is a damaged speed sign at the corner of Bank and Hawks that threatens public safety.

Neighbors of the proposed Shaftsbury solar facility spoke. Michael Albus expressed concern about the state of Holy Smoke Road while the solar farm is under construction. Who will repair erosion damage? Stella Erich also spoke. She is a landscape painter who often paints the region of the proposed solar facility. She said that landscape is important to her and to others as it provides a sense of peace and serenity. She said folks who walked the site with an aesthetic expert hired by the solar facility all agreed that the view from Trumbull Hill Road was worth preserving, thereby meeting criterion #1 of the state's aesthetic requirements. She took issue with a second of the state's requirements, one regarding the degree to which the view would be altered. Ms. Erich said she believe solar facilities should be limited to industrial or hard sites such as school roofs and brownfield sites. She also commented on the state's stormwater management requirements, saying they aren't restrictive enough to handle current climatic conditions. She said the money the solar company will pay to Shaftsbury will be "a drop in the bucket" compared to the costs the town will incur because of flooding. She asked that the Town update its agreement with the solar developer to address these and other issues. Mr. Albus reiterated his concern about flooding and inadequacy of the state's rules.

#### 7. Treasurer's Report

Melanie Dexter reported on the July cash flow, and mentioned that highway state aid of \$155,000 came in, representing three-quarters of the year's total. The final payment came in a little later in July. Expenditures too are running a little bit ahead of budgeted. Interest payments are also larger than in years past.

She spoke about recomputing the municipal income tax. As it happens, in the original calculation the \$3000 exemption for the Taconic Grange wasn't included in the assessor's report. As a result, the amended municipal rate will be 0.5639. The change represents an increase on a \$200,000 home of about \$20. Ms. Dexter is unsure as to how to record the oversight and has asked the town auditors how to handle it. Mr. Cichanowski moved to amend the tax rate to 0.5369/\$100. Mr. Krulikowski seconded the motion, which passed 5-0-0. Ms. Dexter will be getting the tax bills out with the next ten days or so.

She spoke about changes at the transfer station – the transition to a cash register system - that have implemented internal changes long requested by our internal auditors.

#### 8. Open Meeting Policy Adoption

Ms. Miller read out loud the proposed open meeting policy. Notable elements include hybrid meetings of all public meetings in the town, including advisory and non-advisory bodies. All meetings will be held at Cole Hall. A remote alternative via Zoom will be provided at all meetings. All meetings will be posted as required by law. Minutes will be posted on the town website as required by law. Recordings of all meetings will be posted on the website, usually at the same time as the minutes of those meetings. Necessary accommodations will be provided for all those who require them. Scheduled meetings will not be cancelled. Mr. Cichanowski moved to adopt the open meeting policy. Mr. Krulikowski seconded the motion, which passed 5-0-0.

#### 9. Shaftsbury Solar Project: Neighbors

These individuals spoke during the public comments section.

#### 10. Cole Hall water leaks

Ms. Iken said the windows still leak during thunderstorms. She has requests for assessments of the water problem in the basement out to MSK Engineering and Mance Engineering Partners. The assessor's clerk has moved upstairs and the Town Clerk will move upstairs after the September school vote. We are going to check in with the Fire Chief about moving file cabinets upstairs. The floor in the main room can't handle the weight of the cabinets. It

may be we need to rent a storage container. She said our tech consultant and an electrician were by to try to figure out how to lay out the new phone and internet system.

#### 11. 64 Buck Hill update

The demolition is about half done. Matt Morse Construction is recycling everything possible. Board members complimented Ms. Holley on her documentation on the website of the demolition of the barn and the house.

#### 12. New Town Newsletter

The first issue will be posted soon. It will go out monthly. Anyone interested should sign up. One can also leave a cell phone number. Such a database could be useful for emergency or otherwise important situations.

#### 13. V Trans culvert project & discussion of notifications

Ms. Iken said she'd received many emails regarding construction of a new culvert on Vermont Railway between Route 67W and White Creek Rd. Many heavy trucks have been traversing the roads in the neighborhood for weeks. The project is managed by Vtrans, which did not notify the neighbors of the impending work. The town is working on cooperating with VTran to make sure neighbors get the word on such project early. Art Whitman said the first train would run over the culvert next week. Thereafter, clean up will take weeks. Citizen Rich Jorgensen spoke about neighbor concerns. He said VTrans has done at least three projects in the area recently without advance notification. He said they plan and implement their projects professionally, but when it comes to communicating with residents they fall well short of what is desirable.

#### 14. Discussion of N. Bennington emergency management exercise planning meeting

Ms. Cornwell said she attended a good meeting with the N. Bennington planning commission chair and several representatives of the N. Bennington fire department to talk about how to strengthen their emergency management plan. Such plans try to address as many possible emergency scenarios as possible. Shaftsbury has agreed to be part of a "tabletop" exercise this autumn to devise such a suite of responses. Ms. Miller said she hoped to do a tabletop exercise in Shaftsbury in the spring.

#### 15. Other Business

Ms. Iken said she'd left messages at the Buck Stop regarding parking issues at the store.

#### 16. Review of Action Items

- Follow up MSK, Chris Ponessi
- Ask Fire Chief about siting file cabinets
- Work with DPW on broken street sign at Bank and Elm

#### 17. Adjournment

Mr. Cichanowski moved to adjourn the meeting at 7:15pm Mr. Krulikowski seconded the motion, which passed 5-0-0.

Ms. Miller announced the opening of a public hearing on the proposed Enhanced Energy Plan, the first of two meetings. The second meeting will be held September 23. The Plan has been through two public hearings before the Planning Commission.

The Plan has been on the town website for several months.

Ms. Miller gave a synopsis of the plan. It was largely compiled and written by the Bennington County Regional Commission. It is intended to lay out methods by which the state's goals for renewable energy – 90% by 2050 – can be realized. Each town in the state is expected to achieve its portion (by population) of the goals. The Planning Commission made several recommendations as to how they might be achieved in Shaftsbury and are (paraphrased):

No solar facility shall cover more than 20 acres of land and no wind turbine may be more than a specific height.

Ms. Miller noted that the Planning Commission's intention was to bridge what could be a nearly fifty-fifty divide between town residents in favor of the project and against the project. Ms. Cornwell said she was on the Planning Commission when it crafted the Plan and heard very disparate opinions.

Ms. Miller explained some of the recommendations. She noted the Planning Commission believed the Town's share of wind energy could be met entirely without the use of industrial facilities but instead by relying on residential facilities.

She noted that a screening ordinance has been adopted and an energy committee has been formed.

Maps and graphs in the Plan were discussed. It was noted that should the Shaftsbury Solar project go forward, it would meet its state-required share of solar development.

Reference was made to Vermont's dependence on Hydro Quebec, and to restrictions on its ability to purchase energy from out of state for various reasons.

Stella Ehrich said cutting down trees to put in solar was somewhat counterproductive, since forests fight climate change. She said the legislature should be made aware of this.

A widely ranging discussion on general topics of energy use and climate change ensued. It was noted that the Energy Committee is about to begin to reach out to citizens to provide them help in reducing energy use.

The second hearing will be held on September 23.

The Vtrans meeting will be held September 30 at the elementary school.

The public hearing on the EEP concluded by acclamation at approximately 8:15pm.