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# Town of Shaftsbury

Municipal Offices

## Meeting Minutes

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Shaftsbury, VT  
05262-0409  
(802) 442-4038

### Select Board

**Meeting Date: April 20<sup>th</sup>, 2026**

1. Call to Order

The meeting was called to order at 6:00 PM at Cole Hall and on Zoom. Present were Select Board members Zoe Kearl (Chair), Naomi Miller (Vice-Chair), Mike Cichanowski, Marlene Hall (Zoom), and Eamon Mulligan. Also present were Town Administrator Paula Iken, Town Treasurer Melanie Dexter, and Zoning Administrator Carlyn Mickle. There was a technical issue that prevented recording of the start of the meeting including items 1 through 3.

2. Conflict of Interest Statement

There were no conflicts with items on the agenda.

3. Minutes

Minutes for the 4-16 meeting were approved.

4. Warrants

Ms. Kearl called for a motion to consider CWR 26025 for \$104,943.16. Mr. Cichanowski moved. Ms. Miller seconded. Expenses \$2,500 and over, and random smaller items:

Advanced Auto Parts \$75.98 Fire Dept. truck maintenance

Josh Brown \$2,500.00 DPW trailer welding, bracket, mud flap

Casella Waste Systems \$9,048.08 Transfer station trash removal

Hulett Electric and Father \$3,888.73 Electric work on the new building

Legacy Fence \$19,230.50 Deposit on the new cemetery fence

MVP Healthcare \$17,707.20 Employee Health Insurance

Salem Farm Supply \$2,890.44 DPW Case truck

RCS Consulting \$60.00 Network maintenance

Southworth Milton Inc. \$3,222.82 DPW Cat maintenance and parts

VLCT Property and Casualty \$21,851.75 Quarterly insurance bond payment

Tom Wandry \$199.99 DPW Various operating supplies for trucks and garage

CWR 26025 was approved 4-0-0. Ms. Hall abstained as she was on Zoom and hadn't heard the warrant.

Ms. Kearl called for a motion to consider CWR PR21 in the amount of \$20,857.38. Ms. Miller moved. Mr. Cichanowski seconded. CWR PR21 was approved 5-0-0.

Ms. Iken then brought up CWR 26023 for Hometown Heating and Cooling that was not included on the last warrant. Ms. Kearl called for a motion to consider CWR 26023 for \$5,763. Mr. Mulligan moved. Ms. Miller seconded. Ms. Kearl asked for discussion. Hearing none, CWR 26023 was approved 5-0-0.

## 5. Announcements

Ms. Iken announced that the Town Offices would be moving into the new building at the end of the week. Cole Hall will be closed on Wednesday, because offices will be packed up to move on Thursday and Friday. The network should be set up on Monday, April 27<sup>th</sup>, so the first day of town business at the new offices will be Tuesday, April 28<sup>th</sup>. Town Office employees will have access to voicemails and email if they need to be reached.

Ms. Kearl announced that the culvert project will take place in late August or September, depending on what the State decides. The town is aware that significant traffic will run through Shaftsbury on 7A because of the Rt. 7 closure. This will damage the road, but the State is responsible for 7A and will make repairs after the culvert project is finished. There may be increased usage of other town roads if traffic is routed through Warmbrook, on to Maple Hill, and on to East Road. The Select Board will discuss this and ask the State how this will be handled. They can try to divert large trucks, but they can't enforce that, so significant damage to those roads could occur. The board talked to the State about places in town that will experience significant congestion, and about danger to members of the town who cross 7A to reach their mailboxes, but the State decided to divert traffic through Shaftsbury. This appears to be a cost shift as it will take a shorter period if traffic is diverted instead of shutting down a lane on Rt.7.

Ms. Kearl next gave an update on an ongoing issue on Waite Cemetery Road at the commercial solar array owned by NEXCOM Group, which is based abroad. There was a fire there on April 12<sup>th</sup> which the Shaftsbury Fire Dept. put out. The system has been down since mid-fall which wasn't a problem when ground was snow covered. The system is disconnected at the pole, at the transformer, and at the inverters, which is all that non-owners of the array can do to mitigate risk. However, the array is not disconnected at every panel, and panels are not laid flat, so they are still producing DC power, creating an arcing risk. Ms. Kearl said she had heard back from a manager at the company who said they are decommissioning the array and disconnecting all panels. She asked for a timeline but does not have one yet. She will keep on this issue. Ms. Kearl's final announcement concerned the demolition of the Stanley Tools building on 67A. The building is owned by a Mr. Bernstein of New York City. The location was shut down in 2002, and the building has deteriorated over decades of disuse. It is located over a waterway, so when the property owner filed a demolition permit, it didn't go through the Town, it went to the State Agency of Natural Resources. because a waterway was involved. The Town is not a party to those conversations but has been working with Herman Construction, who's been handling the demolition, and with the owner, Mr. Brent Herman, and the DPW to save stone from the building. This is being stored on Cole Hall property. Fire Chief Joe Vadakin has an idea for a memorial at the Buck Hill Fire Station and stone will be used for other projects in Shaftsbury. The wooden eagle mentioned in the last meeting was requested but Mr. Herman said it belongs to someone else, but it is still there.

## 6. Public Comments

There were no public comments.

## 7. DPW Report

Mike Yannotti could not attend so Ms. Iken gave the report: Road grading is the main priority right now. They were grading the West side of town this week, and they'll start on the East Road side next week. The DPW has a light crew since it's spring break at the school. Howard Park is opened for the baseball season-water is on in the bathrooms. They are preparing the upper field for the new dog park, as organized through the REC Committee, and will be building the fence this summer. DPW is also doing spring maintenance on

the summer equipment but haven't put away the plows yet. Once the weather changes completely, they have some culverts and grant projects to complete.

#### 8. Treasurer's Report

Ms. Dexter brought up the cash flow, a mid-month one, so not very informative. The Town received \$46,405.04, the last of 4 expected and budgeted highway payments. Other noted amounts were \$15,415.75 from delinquent taxes and \$17,195.00 received as State per Parcel. This is for reassessment and goes directly to the reserve fund. She said that according to the cash flow the Town has \$958,000 in the bank. Allocation was reviewed in Cash by Fund, larger amounts being about \$129,000 in the General Fund, \$378,903.00 in the Fire Department, \$272,076.00 in Landfill Closure, \$197,812.00 in Lister's. The Water Department is negative \$170,836.00. Ms. Dexter noted that there's about \$200,000.00 less than last year, which is almost exactly the amount spent on the new building, so nothing unexpected. She said that tax season was over, and people seemed grateful for tax forms being online.

#### 9. Discussion on Spur Rd. Proposed Name Change

Zoning Administrator Carlyn Mickle said that Jeffrey Paul had requested a road name change from Spur Road to Wingate or Lane. The change was vetted through E911 as a feasibly appropriate name. VLCT and BCRC say that road name changes lie solely with select boards. There are 11 properties on Spur Road with 10 owners. About the first 400 feet of the road are in Bennington. Ms. Mickle said she was unable to contact the Bennington Zoning Administrator, but it doesn't appear to be an issue as there aren't any numbers on the section of the road in Bennington. She continued that there are mixed feelings on the road about whether the name should change. 2 households are a certain yes. 1 household expressed interest in remaining neutral, and 1 is a corporation whose property was recently bought by Mr. Paul. 6 households are opposed to the change and brought a petition. Ms. Mickle apologized because the petition was locked in her office, which she shares with the Town Clerk. Another piece that may play a role in this is that there is current legislation on private road maintenance. What she had heard from the residents on this street is that there is no formal maintenance agreement although several households have been paying into some of the maintenance. The legislation states that "in absence of an express agreement or requirement governing maintenance of a private road, when more than one person enjoys a common benefit from a private road, each person shall contribute rateably to the cost of maintaining the private road and shall have the right to bring civil action to enforce the requirement of this section". She said that there isn't a strict requirement to have this road maintenance agreement in order to change the name. Should the residents decide to create an agreement, it wouldn't require a name change. It could be done either way. The other relevant piece is that there is no emergency nature to changing the road name. There is no confusion for emergency services, or misnumbering, or other E911 related problems with the road. This would be an aesthetic change, versus a required name change for problems related to mailing or emergency statuses. Ms. Mickle asked if there were any questions for her. Ms. Miller asked for her recommendation. Ms. Mickle answered that VLCT and BCRC said this type of issue is usually resolved by majority rule, and currently the majority is not interested in a name change. However, Mr. Paul has offered to create a road maintenance agreement which may change things. She continued that if the decision was made now by majority rule, she would say the road name shouldn't be changed, but there may be some more tension than that around the decision, and some people involved may want to speak. Ms. Kearl thanked Ms. Mickle for the information and opened the issue to discussion.

First to speak was Jill Bishop who has lived on Spur Rd. since the 1970s. She went through the name change from Chapel to Spur Road. There was no choice. She said it was annoying because she had to change the address on every

bill or notice, buy more checks, etc. She doesn't see a benefit to a name change. She continued that Spur Rd. did have a non-binding snowplow fund, but only a few residents donate to it.

The next speaker (Alice Sassfield?) said that she didn't get mail so that wasn't her problem with a name change. She said it was a "nice-net community" and didn't see the need to stir up dissension. She has lived there since the 1960s, has seen the area grow and doesn't want it to become a huge community where people aren't friends or supportive anymore. She said she is discouraged by an individual tone that doesn't serve the community.

Ms. Mickle then said she had 2 more pieces of information. First, she spoke with the assessor about the condition of the road, and there is some minor, but still existent property devaluation when a road does not have regular maintenance. Second, she asked a few other towns and BCRC about road names. Shaftsbury has many roads named after people, but that is not allowed in some other towns. It's not an ordinance in Shaftsbury, so doesn't have to be considered it, but it is something that other towns disallow for the direct reason of community building.

John Hayes, 74 Spur Rd., said he had lived on the road for 23 years and took care of it for a while with money out of his pocket, not asking for money in return. He tried to keep the road up as best he could. He said the problem with the road is that it's not up to public specifications- it doesn't have proper drainage ditches or culverts, and there's not enough width of right-of-way for the town to accept. He continued that people have tried to take care of it from time to time and he didn't believe anybody's ever asked for money. He had gravel brought in and grading done, contacting each person along the way to make sure that the grading didn't bother them, which was "kind of a pain", but he thought they "always did pretty good". Mr. Hayes said this has been going on for at least 20 - 25 years.

?? Williams, 52 Spur Rd. said he wanted to back up what Mr. Hayes said. Mr. Hayes has been taking care of the road meticulously, grading and bringing in stone without charging anyone. Once new owners came in and they owned the road they didn't want Mr. Hayes to maintain the road.

Jill Bishop spoke again saying that a contributor to the road deteriorating is the number of heavy trucks using the road. She said "he owns a business up there" without stating who "he" was, and that he has a trailer, and goes up and down the road 3 or 4 times a day, not slowly. She continued that he has big equipment that also uses the road, that "look like army tanks" with treads that are not normal.

Next Phil Gallagher, 43 Spur said he saw the damage to the road and was trying to arrange to get it fixed, hopefully in June.

Mr. Paul was next to speak. He said that he brought the motion to the Select Board's attention and that a precedent was already set: the road name has gone through several different names over the years. For him, the road name change was an opportunity to "turn the page". As previously noted, despite some efforts the road remains in terrible shape. He continued that the State does have a statute, requiring all residents of a private road to contribute to a road maintenance agreement, but this has not been administered in a "professional or comprehensive manner", nor included all the residents on the road. Mr. Paul said he intended to pursue this. He then said that the property he purchased has a 50-foot deeded right-of-way and the road could be brought up to town requirements and adopted by the town. That survey is being redone to determine exactly where everyone's boundaries are, so that there aren't misunderstandings. He continued that he would like to extend another opportunity to his neighbors to get together and settle this, but if it's his initiative, his property, and his dollar he felt a road name change suitable for Shaftsbury and for his neighborhood, but also for a fresh start. He provided bullet points to the board and went over highlights: Some people have contributed to a road fund of sorts, but it's been inadequate. Many people who have not contributed have writing in their deeds that say that they will contribute to road maintenance, which could be why it there is some opposition to a new direction moving forward. Mr. Paul then again asked the Select Board to consider the road name change as a fresh start, and an opportunity to have proper understanding of where everyone stands and have a proper road maintenance agreement.

Ms. Miller asked Mr. Paul what the connection was, for him, between changing the name and getting a road maintenance agreement. He answered that the road name change was symbolic of a new chapter for the neighborhood to have an understanding. He thought that that a road name change should be done before road maintenance agreement documents are drawn up. There was further discussion about the inconvenience and cost of changes if the road name was changed. A resident asked if the board had seen the petition. They had not because it was locked in the Zoning Administrator's office. Ms. Kearl said that the board would not be, unless someone called for a motion, deciding on the road name change that evening. She said that the board will look at the petition, read documents, and look at everything more in depth. She did not feel that it would be responsible to decide that evening. There was some discussion about deeds and wording related to road maintenance. Ms. Mickle said she could pull the Spur Road homeowners deeds for the Select Board to review. She also noted that a road maintenance agreement is not required. If there isn't one and people aren't contributing to a maintenance fund, a neighbor could bring a civil suit against the non-contributor. The Spur Road residents could draw up a road maintenance agreement and pool money to fund that account. Many neighborhoods in Shaftsbury have done that.

Will Buckley, 241 Spur Road, said he was somewhat new to Spur Road and he liked the name Wingate London Spur, because the town of Bennington decided Spur for everyone, and it came from Spur off of Chapel, like an afterthought. Ms. Mickle said that the name change was recommended by E911, a state-level decision, not a town-level decision by Bennington. It was because there were issues with numbering from Chapel to Chapel.

Kendrick Davis, 53 Spur Road, said he was new as of August. For him, a road name change is very inconvenient. Not only would he have to change his license and any other addresses on file, but his family does foster care. They would have to get relicensed, including a visit from Burlington to Shaftsbury for a road name change. He said that he'd recently changed all his addresses to Spur Road and felt it was inconvenient not only for the new residents, but the residents who have been there forever.

There was further discussion of road control, maintenance agreements, deeds, and inconvenience to residents. There was also some airing of grievances not related to the road name change issue.

Stanley Whedon then spoke at length about specific costs, inconveniences, and possible safety issues associated with a road name change, specifically GPS for medical emergencies. Some more personal grievances were aired before Ms. Kearl brought the discussion to a close.

#### 10. Review and discussion of a letter to the state regarding levels of PFOA contamination

Ms. Kearl said that the board sent a letter to the State, regarding the PFOA contamination in Shaftsbury. The reply from the State included a parts per trillion level regarding the potential dangers of PFOA and human blood that differs from the standard used for Bennington. The board disagrees with this; the standard must be equitable. The board will respond, correcting them on the outdated PFOA levels in their letter to one that is agreed upon by the professionals or one that they have used in other similar cases. Information is based on recent IARC findings and on papers published through the National Institute of Health regarding the way renal cell carcinoma is formed and elevated risk of kidney cancer in those who are exposed to PFOAs. Ms. Miller added that she thought an important part of the letter was the specific request to the State to revisit their offer of blood testing to people, which is related to the issue of the number. Blood testing would be available to many people who had it in the past but wouldn't have it now. People were really concerned about this when the PFOA issue first began. She continued that the board should urge the State to follow through on this. Ms. Kearl summed up by listing goals: reach more people, get more data, create a true picture of who is affected, and in what ways they are affected, advocate for the citizens of Shaftsbury with regards to their health, and seek equitable treatment from the State. Mr. Cichanowski added that Bennington County has

been a cancer hotspot for a long time. Ms. Kearl asked if the board was comfortable with the letter. No one objected. Signature lines and an address will be added, and the letter will be sent.

#### 11. Select Board Presentation of an Inclusive Human Rights Declaration

Ms. Kearl reviewed the history of the Apartheid Free Community Pledge: on February 2, 2026, the Apartheid Free Community Pledge was brought before the Shaftsbury Select Board. It was adopted by the board at the next Select Board meeting on February 17, 2026. After significant outcry from the community, at Town Meeting, at both March Select Board meetings, and in other forums, the community started talking about creating a human rights statement, a resolution affirming human rights, inclusion, and community commitment that would suit Shaftsbury, be appropriate, and be inclusive. It was important that the declaration represents the views of many people in this community, who all agree that human rights are important. At the April 6, 2026, Select Board meeting each board member brought a draft of the human rights declaration, read, and discussed them. After hearing public comments, the board decided that the next step would be to have a working meeting to create a comprehensive, cohesive document. Ms. Kearl reminded that a working meeting is, under Vermont statute, different from a select board meeting in that it only has one topic and there are no public comments. The working meeting was held on April 16, 2026, and a document was created. This document was posted on the Town website for public review after the working meeting. Ms. Kearl called for a motion to replace the Apartheid-Free Community Pledge with the Town of Shaftsbury, Vermont's Resolution Affirming Human Rights, Inclusion, and Community Commitment. Ms. Miller moved. Mr. Cichanowski seconded. Ms. Kearl opened discussion and then read the resolution aloud. Ms. Mellinger asked about annual assessment of any information and implementation of commitments. Ms. Kearl explained the intent of the process. Mr. Korman commended the board for listening through several contentious meetings, where people spoke passionately from their hearts, and putting time and effort into researching and curating the resolution. He continued that he thought it was good document that made Shaftsbury unique. Ms. Mellinger also commended the board for time spent listening to both sides. Andrea Bacchi asked what happens if something is found, when doing the checks and balances, that doesn't go along with what is written in the declaration and, if the Select Board does the checks and balances on themselves, is that a conflict of interest. Ms. Miller answered that the Select Board must review and reaffirm things every year at the reorganization meeting. Ms. Bacchi then asked what the process would be if a resident felt that something went against that declaration. Ms. Miller said because all Select Board meetings are public and, except for working group meetings, public comment is allowed, that would be a place for the public to bring up issues related to the implementation of the declaration. Ms. Kearl added that is applicable to any sort of town governing document, which also includes the zoning laws or the DEI policy, or anything that the town passes, or has in place. These can be discussed at any meeting. Ms. Bacchi asked if somebody couldn't make it to a meeting because of an illness, or work, would the Select Board be fine with them emailing the select board? Ms. Kearl said yes, that is fine and agreed that communication with townspeople is a good thing. There was further discussion of wording in the document and the suggestion that it be brought to the Town attorney for review, and questions about how people who didn't attend the meeting would find the information. Ms. Iken said that they would have had to attend the Select Board meeting, or listen to the Zoom, and short of Shaftsbury having a town crier, there was no email list to get information out to everyone. Ms. Kearl called for a motion to table the motion. Mr. Cichanowski moved. Mr. Mulligan seconded. The motion was tabled 5-0-0.

#### 12. Other Business

None

13. Review of Action Items

Ms. Mickle will provide the petition and deeds from Spur Road homeowners to the Select Board

PFOA letter will be completed, signed, and sent to the State

Ms. Kearl will send the resolution to the town attorney for review

14. Executive Session

The board moved into executive session for a legal matter and security measures. The board would not be making any decisions so recording ended.