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Town of Shaftsbury

Municipal Offices at Cole Hall

Meeting Minutes

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Town of Shaftsbury Water Board Meeting

Date of Meeting: Monday May 19, 2025, at 5:00 PM, in person at Cole Hall and remotely via Zoom.

1. Call to Order:

The meeting came to order at 5:00 PM. Present were selectpersons Naomi Miller (Chair), Zoe Contros Kearn (Vice-Chair), Mike Cichanowski, Tony Krulikowski, Brad Peacock, Town Administrator Paula Iken Water Dept. Superintendent Josh Brace, and Arthur Whitman.

2. Conflict of Interest Statement:

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

3. Minutes

The minutes from the April 21st Water Board meeting were reviewed and accepted without discussion 5-0-0.

4. Announcements

Mr. Brace announced that the town water department received a grant, paired with MSK Engineering, to assist with completion of the lead line inventory, from houses to the main. He discussed the plan, which is based on repetitive water sampling for lead from the house instead of digging up lines. The goal is to focus on unknown lines. MSK will submit the plan to the state this week. Mr. Brace also met with Zach Bull of North Bennington Water to discuss things needed to move the allocation request forward. Ms. Iken was sent this list. Mr. Brace has informed the state of progress. The state was also sent the leak report and has not yet responded. Later in the meeting Mr. Brace circled back to this topic, requesting that the lead project information be posted on the Town of Shaftsbury website so that residents knew how to contact MSK to register and schedule. Ms. Holley noted that the Water Board is being split off from the Select Board on the website so it will have its own area for posts. Links to resources for water payments could be added to this site.

5. Public Comments:

There were no public comments.

6. Proposal to appoint Art Whitman as ad hoc member of the Water Board

Ms. Miller proposed to add Arthur (Art) Whitman as an ad hoc member of the Water Board, citing his history and knowledge of this arena. She asked for a motion, Mr. Krulikowski moved, and Mr. Cichanowski seconded. Ms. Miller noted that it was unclear what the legal ramifications might be should Mr. Whitman join an executive session. Mr. Cichanowski said that if the board is in the executive session with the attorney with a non-elected member, then there is no attorney client privilege, which means the session is then discoverable. There will be further inquiry into this. The motion to appoint Art Whitman as an ad hoc member of the Water Board was voted on and passed 5-0-0. Mr. Whitman joined the board at the table.

7. Discussion of the handling of delinquent water bills

Ms. Iken noted that there were a significant number of delinquent water bills and that Ms. Dexter sent delinquent bills out on a different colored paper. Mr. Brace noted that in the past water had been shut off after a certain period of time. Legally, there are steps that need to be taken before water is shut off, and water cannot be shut off in the winter. Mr. Brace said it seems to be the same group of people that are delinquent. During Covid and beyond the State was covering water bills, but that program is done. There was a discussion on protocol for handling delinquent water bills. Monthly payment plans haven't worked well. A 120 day notice with a list of resources available was suggested. Ms. Miller asked for a motion to send delinquent water bill notices out at 120 days. Mr. Cichanowski moved; Mr. Peacock seconded. The motion passed 5-0-0.

Mr. Krulikowski asked that the legality of the steps prior shutting off water be checked further. There was another discussion of mailings, including the previously mentioned colored paper and stamping past due on bill envelopes.

8. Other business

Ms. Iken brought up changing the authorized names on the Town of Shaftsbury water project to Paula Iken and Melanie Dexter as alternative authorized representatives of the town "for the purpose of furnishing to the State of Vermont such information, data, and documents pertaining to the above noted project as may be required, and otherwise to act as the authorized representative of the applicant in connection with the project." This will be addressed during the Select Board meeting. There was further discussion of the phases of the project.

9. Review of Action Items

Ms. Iken will send information regarding list to Zach Bull in North Bennington.

Mr. Brace will look into the legalities and steps for shutting off water.

Ms. Contros Kearn will look into resources for residents having difficulty paying water bills.

Ms. Iken will reach out to the BLCT and the town lawyer about the legality of executive sessions. She will also ask the lawyer about steps before water shutoff.

10. Adjournment

Ms. Miller asked for a motion to adjourn. Mr. Cichanowski moved, and Mr. Krulikowski seconded. Motion passed 5-0-0 and the water board adjourned at 5:35 PM.