

**Town of Shaftsbury  
Selectboard Regular Meeting  
6:30 PM  
Monday, April 6, 2015  
Cole Hall, 61 Buck Hill Road, Shaftsbury**

**SUBJECT TO APPROVAL**

**Selectboard Members**

**Present:** Tim Scoggins (Chair), Mitch Race, Ken Harrington, Art Whitman

**Absent:** Tony Krulikowski

**TA Present:** David Kiernan

**Others Present:** Jackie Myers, Michael Day, Melanie Dexter (Treasurer)

**6:30PM Regular Meeting**

**1. Call to Order**

Tim Scoggins (Chair) called the meeting to order at 6:30 PM.

**2. Conflict of Interest Statement**

There were no conflicts of interest.

**3. Approval of Minutes**

**Motion:** Tim Scoggins moves to approve minutes from the February 9, 2015. Mitch Race 2nds. 4-0-0. Motion passes.

**Motion:** Tim Scoggins moves to approve minutes from the February 16, 2015. Mitch Race 2nds. 4-0-0. Motion passes.

**Motion:** Tim Scoggins moves to approve minutes from the March 16, 2015. Mitch Race 2nds. 4-0-0. Motion passes.

Minutes from the Town Meeting for March 2, 2015 and Regular Selectboard Meeting minutes from March 2, 2015 are postponed.

**4. Approval of Warrants**

**Motion:** Tim Scoggins moves to approve Retirement Warrant #20 in the amount of \$84.81. Mitch Race 2nds. 4-0-0. Motion passes.

**Motion:** Tim Scoggins moves to approve Retirement Warrant #19 in the amount of \$130.37. Mitch Race 2nds. 4-0-0. Motion passes.

**Motion:** Tim Scoggins moves to approve Check of \$150.00 for a highway management plan. Mitch Race 2nds. 4-0-0. Motion passes.

**Motion:** Tim Scoggins moves to approve Payroll Warrant #19 in the amount of \$18,067.62. Mitch Race 2nds. 4-0-0. Motion passes.

**Motion:** Tim Scoggins moves to approve Retirement Warrant #20db in the amount of \$7,616.25. Mitch Race 2nds. 4-0-0. Motion passes.

**Motion:** Tim Scoggins moves to approve Payroll Warrant #20 in the amount of \$17,947.49. Mitch Race 2nds. 4-0-0. Motion passes.

**Motion:** Tim Scoggins moves to approve Check Warrant #20 in the amount of \$46,787.77. Mitch Race 2nds. 4-0-0. Motion passes.

5. **Announcements**

The Shaftsbury Historic Society will celebrate Ordinary Hero Day on May 30, 2015 at the Galusha Homestead from 2pm to 4pm.

6. **Public Comments**

None

7. **Adoption of Selectboard Rules of Procedure**

**Motion:** Mitch Race moved to approve the Selectboard Rules of Procedure for the Shaftsbury Selectboard Art Whitman 2nds. 4-0-0. Motion passes.

**Adoption of Annual Meeting Schedule**

The annual meeting notice has changed slightly. The Economic Development Committee will meet on the Second Thursday of each month at 5:00 pm at Whitman Feed Store. The Recreation Committee will meet the Fourth Monday of each month at 1:00 pm.

**Motion:** Mitch Race moved to change the Annual Meeting Notice as amended. Art Whitman 2nds. 4-0-0. Motion passes.

8. **Appointment of Jackie Myers — Town Health Officer**

Jackie Myers has owned a preschool in Shaftsbury for six years and has been in the business for 23 years. She runs a program for school-aged children. She is also a Guardian ad Litem.

**Motion:** Tim Scoggins moves to appoint Jackie Myers as Town Health Officer. Mitch Race 2nds. 4-0-0. Motion passes.

The Vermont State Health Commissioner will make the actual appointment. The Selectboard's appointment is a recommendation.

9. **Appointment of Michael Day — DRB  
(36:03)**

Michael Day has been an alternate for one year.

The Rules of Procedure for the Development Review Board (DRB) are being updated. The most current version of the Rules and other longstanding documents are not on the website.

**Motion**: Art Whitman makes a motion to appoint Michael Day as an alternate for one more year. Ken Harrington 2nds. 4-0-0. Motion passes.

David Kiernan will update the website to correct the term for Michael Day and add Jay Palmer as an alternate.

10. **Road Foreman Update — Update by Town Administrator**

**a. Highway Budget**

As of March 31, \$1,200 was left in gravel budget. The salt budget was over because of a price increase. The capital improvement budget was over by \$19,000. Ninety-five percent of the highway budget has been spent. The rest of the budget is at 76%.

**b. Update on the Truck**

The parts of the truck (that was in a fire at the paint shop) are being finished by Viking. Members of the Road Crew went to inspect the progress. Many of the truck parts have been replaced. The truck will be brought to Delurey as a next step.

11. **Treasurer's Report — Melanie Dexter**

Melanie Dexter met the Selectboard members.

David Kiernan explained that the budget is on target at 76%. We are at the end of the 3<sup>rd</sup> quarter. The revenue is in at 95%.

David Kiernan stated the right-of-way for the sidewalk project in the process of being reviewed by the State.

Art Whitman asked when the Treasurer will set the tax rate, since increase in the tax rate and the budget are known. David Kiernan stated that this can be completed for the next meeting. This is typically done in April.

Tim Scoggins discussed the issue of double voting. He explained that legally the tax rate is set according to the budget approved at Town Meeting. This included appropriations decided on the ballot on Election Day. Money allotted for the projects that do not get approved will be added to the fund balance.

12. **Property Purchase of 492 North Road —Financing**

A capital improvement note with two-percent interest rate from People's United Bank is available to finance the 492 North Road property. This is not a traditional mortgage. There are no fees. The structure of the loan is three payments over three years. This document will be sent to the Town Attorney for review and approval.

**Motion:** Tim Scoggins made a motion to ask the Board to approve financing of the North Road property through People's United Bank with the capital note improvement contingent upon legal review. Art Whitman 2nds. 4-0-0. Motion passes.

The document is approved by the Selectboard will be signed after legal review.

13. **Award of Bids — Cole Hall Bathroom**

There were two bids for the Cole Hall bathroom improvements. The Board opened these at the last meeting and needed time to review and compare the two bids.

Tim Scoggins recommended acceptance of the more detailed, more expensive bid (the Murray Brothers bid).

**Motion:** Tim Scoggins moves to accept the bid from Murray Brothers for repairs to the bathroom in Cole Hall in the amount of \$10,441. Art Whitman 2nds. 4-0-0. Motion passes.

David Kiernan stated that there will be other costs associated with this project, such as the asbestos inspection.

14. **Cold Spring—VAC Grant Contract**

Tim Scoggins asked the Selectboard to sign the contract for the grant for the Cold Spring project.

Tim Scoggins stated that the entire project should be completed in two years.

**Motion:** Tim Scoggins moves for the Selectboard to allow him to sign the Vermont Art Council contract for the \$15,000 grant for the Cold Spring historic project. Approved 4-0-0

**Discussion:** This is just for artistic design and fabrication. If nothing is built, the Art Council may want their money back.

Art Whitman expressed concern of the legal water rights involved and whether the project can be completed.

Money from the grant cannot be used to pay for legal fees. The money to pay for research on water rights will have to come from another source, perhaps another grant or fundraising.

Art Whitman asked that the entire \$15,000 not be spent. Scoggins stated that only limited design work will be done until permit and legal issues are firmer in hand.

**Amended motion:** Tim Scoggins moves that the Selectboard accepts the contract from the Vermont Art Council and receive the \$15,000 grant for the Cold Spring project, with

the understanding that only limited money will be spent until the proper legal and permitting have been done. 4-0-0. Motion passes.

15. **Adopt Annual Meeting Schedule approved earlier in meeting (see #7)**

16. **Bennington County Solid Waste Alliance Agreement and Ordinance**

This ordinance is an updated version of pay as you throw ordinance that the Town currently has in place.

The interlocal contract will be discussed tonight and signed at a later meeting with the most current version.

Shaftsbury is being asked to join an alliance of 13 towns for solid waste management. The board will be composed of one Selectboard member from each of the 13 towns. The board will not have the authority to tax.

**Motion:** Mitch Race makes a motion to the sign the ordinance for Municipal Solid Waste Variable Rate Pricing and Hauler Registration and Reporting Ordinance. Tim Scoggins 2nds.

**Discussion:**

There is a \$50 per company per town for each of the 13 towns. A garbage hauler that serves all 13 towns would pay \$650.

The ordinance will be placed on the website and the 60-day hearing process will begin.

**4-0-0. Motion passes.**

The BCRC asked that a representative be appointed by April 15

BCRC has compost bins for sale at a discounted rate.

**Motion:** Mitch Race moves that the Selectboard accept the Bennington County Solid Waste Alliance Interlocal Contract. Tim Scoggins 2nds. 4-0-0. Motion passes.

**Motion:** Tim Scoggins moves to appoint Mitch Race as the Town representative for the Bennington Country Regional Commission. Art Whitman 2nds. 4-0-0. Motion passes.

A new copy of the contract will be read and amended at the next meeting.

17. **Legal Trails Certification to State**

A number of legal trails need to be added to the list of annual highway certification. The specific names of the trails need to be documented by April 15, or the State will remove these legal trails from the map.

The Road Crew has verified the existence of these trails.

**Motion:** Art Whitman makes a motion to approve the trails as shown on the map provide by the state. Mitch Race 2nds. 4-0-0. Motion passes.

18. **Town Administrator's Report**

The annual financial plan of the town needs to be signed.

**Motion:** Tim Scoggins makes a motion to approve the annual financial plan for highways for the purpose of obtaining state grants for highways. Mitch Race 2nds. 4-0-0. Motion passes.

**Motion:** Mitch Race makes a motion to approve the certification of compliance of town road and bridge standards in network inventory. Tim Scoggins 2nds.4-0-0 Motion passes.

David Kiernan is in the process of applying for 3 Grant Applications

1. State Class 2 Roads Grant for East Road. This project will reclaim and repave 322-foot south of Reservoir Road, continuing south for 2,300 feet.
2. State Class 2 Roads Grant for Airport Road 2100 foot section from railroad crossing to the beginning of Cider Mill. The process will involve stripping the road, building it up and putting in ditching along the sides. This road will not be paved at this time.
3. Structures Grant to address the culvert in Shaftsbury Hollow. \$250,000 to \$375,000 estimate. The grant will give money for engineers to study what is needed and give a report.

The money for the \$10,000 Howard Park Grant was received today. Bids will go out mid-April. The bid for the Tennis Courts will be first. Alternatives for replacement of the current water fountain will be reviewed.

19. **Other Business**

None.

20. **Review of Action Items**

- Tim Scoggins will check on the updating of documents from DRB
- David Kiernan will update the list of DRB members on the website
- David Kiernan will ensure that Solid Waste Ordinance will be posted and warned.
- Tim Scoggins will send paperwork to the State to nominate Jackie Myers as Town Health Officer.
- Tim Scoggins will review financing for the North Road property and the paperwork will be forwarded to the Town Attorney for review
- Selectboard will sign the paperwork to finance the North Road property
- David Kiernan will prepare bids for Howard Park on the 20<sup>th</sup>.

21. **Executive session for personnel**

**Motion:** Tim Scoggins moves to go into executive session to discuss a personnel issue at 8:17 pm. Mitch Race 2nds. 4-0-0. Motion passes.

The Board exited executive session and adjourned at 9:21 pm.

22. **Adjournment**

Submitted by Jennifer McGean, Recording Clerk

**Next regular meeting: Monday, April 20, 2015**