

**TOWN OF SHAFTSBURY  
ANNUAL TOWN MEETING MINUTES  
Monday, March 2, 2020, Shaftsbury Elementary School**

**Select Board Members Present:** Joe Barber; Ken Harrington; Tony Krulikowski; Tim Scoggins, Chair; Art Whitman, Vice-Chair.

**Moderator:** Thomas Dailey.

**Others Present:** Sue Andrews; Alan Baker; Richard Bump, Recording Secretary; Bill Christian; Ed Conway; Jay Coonradt; Melanie Dexter, Treasurer; Tony D’Onofrio; David Durfee, Shaftsbury State Representative; Elizabeth Fenwick; Bill Fisk; Carl Foreman; Marlene Hall, Town Clerk; John Hurst; David Kiernan, Town Administrator; Patricia LeBoeuf, Bennington Banner; Michael Lillie; Barry Mayer; Scott McEnaney; Karen Mellinger; Lon McClintock; Alice Miller, Former Shaftsbury State Representative; Ed Molloy; Melissa Morrison; Chandler Polling; Richard Spenser; Tyler Resch; Jennie Rozycki, Librarian, McCullough Free Library; Jennifer Scoggins; Merton Snow; Shelly Stiles; Chris Williams; Scott Winslow; Mike Yanotti; Dara Zink; plus another 80 residents and visitors.

**CAT-TV:** This meeting was filmed and broadcast live by Jim Viers.

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Scoggins called the meeting to order at 6:30pm and then suspended the meeting until 7:30pm during which time those present enjoyed a pot-luck dinner. Dailey recalled the meeting to order at 7:30pm and led everyone in the Pledge of Allegiance to the flag and the country. Dailey then noted that Shaftsbury citizens are “fortunate to take part in town government in the way we do” and given “what’s happening on the national scene, it is so important that we come together for the purpose of governing ourselves”. Dailey then asked for a moment of silence to “reflect on the political situation in this country, no sides taken, as well as on the current problems being faced by the coronavirus”. After that moment, Dailey then

- introduced Selectboard members as well as various town administrators
- named and thanked many Town of Shaftsbury employees and committee members by name, as well as all other workers and volunteers who help make the Town of Shaftsbury work so well.

And those present responded with an enthusiastic and standing round of applause for all folks just mentioned.

Dailey then pointed out emergency exits from the room and reviewed speaking and voting procedures.

**State Representative Report:** After noting that the potluck dinner was “a great idea” and that he would be available after the meeting to talk with residents about whatever concerns or questions they might have, Durfee reported that the state legislature “picked up in January right where it left off last May” with two “leftover” bills which passed in both houses of the legislature

- the first, an increase in the minimum wage in 1/2021 and 1/2022 to \$12.50 was vetoed by the Governor but that veto was then overridden by the legislature
- the second, relating to the Family Medical Leave Act, was also vetoed by the governor and that veto was sustained.

Durfee further noted that several new bills are being worked on including

- the Global Warming Solutions Act, which defines goals, plans and enforcement techniques related to the Paris Accord
- a significant update to Act 250
- taxation and regulation of the sale of cannabis within the state
- a major study currently underway is reviewing/rethinking the way in which students are counted throughout the state and which could have a significant positive impact on the education tax rate locally (albeit other communities could receive an equally significant but negative impact on their tax rate)
- another study is focusing on ways to reduce the shortage of nurses and primary care doctors throughout the state.

Durfee also read aloud a statement from the New England Board of Higher Education praising former state representative Alice Miller for her “exceptional work in higher education and the advancement of educational opportunities” and whose achievement will be recognized 3/19/20 in Montpelier during a ceremony in which Miller will be presented with the Vermont Excellence Award. After Durfee noted that this is “a great honor to Miller and a great pride for the town”, Miller was then given an enthusiastic round of applause by all present.

**Selectboard Report:** Scoggins began his report by thanking Korman, McClintock and Mellinger for organizing the pot-luck dinner held prior to the meeting, a commendation that was greeted with a round of applause from all present. Using a power-point format, Scoggins then reviewed the Selectboard Report (a copy of which was included in the Annual Report, page 37), summarized as follows:

- major construction/renovation projects worked on during the year include the completion of the Public Works garage, transfer station and second floor of Cole Hall, all of which was “masterfully” overseen by Kiernan
- the Town Plan was completely rewritten by the Planning Commission
- the Southern Vermont Comprehensive Economic Development Strategy (CEDS) was completed after two years, and the CEDS working group will begin awarding Vital Projects Designation to projects in Bennington and Windham counties that align with regional planning goals
- major road drainage projects completed on several roads should alleviate much of the problems on dirt roads during the mud season, and with thanks to Yannotti, the new Public Works director and the Road Crew, to whom the Annual Report is dedicated.
- a major focus for the current year is to upgrade parking, green space, and access at Cole Hall as well as to “turn this beautiful historic building into a true town center for Shaftsbury”
- water mains in the town were installed in the 1940s and are reaching the end of their 75-year lifespan and in order to address this, preliminary engineering plans are underway for a project that will span decades.

Scoggins also noted that the FY21 budget

- reflects a “modest increase,” the majority of which support efforts to continue road improvements
- the budget “continues to trend below the inflation rate, meaning we continue to do more with less money”.

Scoggins then reviewed the two articles on the ballot for voters 3/3/20, both of which are supported by the Selectboard, noting that

- the formation of a Communications Union District (CUD) with 12 other towns in southern Vermont should result in improved broadband access to underserved areas and at no cost to the towns
- the creation of a Cemetery Capital Improvement Fund with subsequent transfer of all funds in the current Cemetery Reserve Fund would thus allow the release of funds for cemetery improvements.

During a brief discussion, residents and administrators variously noted that

- there are areas of the town that “are not well served” by high-speed internet access and residents are urged to support the formation of the CUD (Fiske, Hurst)
- the effort to upgrade local internet access in 2015 failed and this new proposal, with state and federal funding, is trying to address long-standing problems in many different communities in the region.

**FY20 Annual Town Meeting Warning:** Dailey reviewed process and procedures by which the business portion of the meeting will be handled (read article, motion on article, amend article (only once), debate article, call question, voice or paper vote, reconsider, vote) and then asked all present to rise, stretch, turn and greet/introduce themselves to each other and to welcome everyone to this community meeting. After lots of movement, laughter and animation, Dailey resumed the meeting.

**Article 1:** A motion was made and seconded to waive the reading of and to accept the reports of the Town Officers as published and the motion carried by voice vote.

**Article 2:** A motion was made and seconded to authorize the collection of taxes on real and personal property by the Town Treasurer, which are due in hand on or before Friday, November 6, 2020 at 5:00pm or likewise postmarked no later than Friday, November 6, 2020 and the motion passed by voice vote, with no abstentions or opposition.

**Article 3:** A motion was made and seconded to appropriate the sum of \$2,148,247 to defray the Town’s general and highway expenses for Fiscal Year 2021, the amount of such sum to be raised by property taxes and to be reduced by non-tax revenues and reserve funds (and as detailed in the *Town of Shaftsbury Annual Report for the Year ending June 30, 2019*, pages 23-36) and after an extended discussion wherein residents and administrators variously noted that

- the 2021 budget will increase the tax rate by about 2½ cents
- the cost of a trash bag at the transfer station is increasing from \$1 to \$2, the first increase in 14 years (and it was not considered practical to have to make change which would have been required if the cost per bag increased only to \$1.50, as example)
- discussion is on-going about the Swop Shed, as well as possible relocation of the shed to the Cole Hall property ; a show of hands indicated many people were interested in an off-site location for the shed, although many residents also expressed concern about keeping the shed, regardless of location, clean, uncluttered and not an eyesore; residents also gave rousing applause to “build a better shed” for the people managing the shed as well as for Jack, the Pembroke Corgi, who safeguards the building
- the contract with TAM expires this year; TAM has been acquired by Casella Waste Management, and it is uncertain what that acquisition will mean to the Shaftsbury transfer station, and all that will be made clear once contract negotiations begin
- Delinquent Tax Revenues were consolidated with all taxes collected several years ago although interest on delinquent taxes continues to be reported as a separate line item
- the salary for Kiernan, the Town Administrator, was below average when that person first started, and is only now coming into line with other administrators; that Kiernan is “above average, saves the town thousands of dollars every day and earns that salary every day” (Scoggins) which was followed by yet another enthusiastic round of applause

And after the question was called, the motion passed by voice vote, with no abstentions or opposition.

**Article 4:** In response to Dailey's request to transact any other non-binding business as legally may come before said meeting:

- Rozycki informed residents that they could sign up for the free on-line Park McCullough Library monthly newsletter, welcomed everyone to "come and enjoy" the library, that "although the internet might get you a thousand answers to a question, the library will get you the right one", that there has been a 54% increase in use of the library over the last 4 years, and said that "it is an honor and privilege to serve you all" and was greeted with a round of applause
  - in response to McClintock's suggestion that Shaftsbury might consider installation of a solar array on the capped landfill (as many other communities have already done) as a way of providing energy to Cole Hall as well as other parts of town (the proposal received a round of applause), Scoggins noted that several companies have approached the town regarding such an installation, and although there appears to be "potential risk and no significant cost savings" by doing this, the Board is "willing to listen to anyone who has the experience"
  - Zink read aloud the letter from the Director of the Project Against Violent Encounters (PAVE) included on page 74 of the annual report, who noted that PAVE is committed to providing support, services and the pathway to healing for victims of domestic and sexual violence and stalking and which included providing those services this past year to 32 Shaftsbury residents, as well as providing emergency shelter to 89 adults as well as 58 children in PAVE's service region totaling 3,745 nights of shelter services; and to which residents gave Zink a round of applause
  - Winslow, speaking on behalf of the Bennington Free Clinic (see page 65 of the Annual Report), asked residents to support the Clinic's \$1,000 request which will assist the Clinic in providing medical care, support and services to those in the community who do not have health insurance; a comment also greeted by applause from those present
  - Polling, speaking on behalf of the \$1,000 request from the Sunrise Family Resource Center, noted that the Center provided support services to 65 Shaftsbury families during the previous fiscal year, which included financial assistance for child care, referrals, interventions, and homeless issues (also applause)
  - Lillie, speaking in support of WBTN's request for \$5,000 funding, noted that "no one at the radio station gets paid" and local support like this "is the only way we can keep it going". Baker also noted that "anyone can do a radio show. Just come on down!"
  - Spenser asked residents to approve a non-binding resolution to name Shaftsbury as a Second Amendment Sanctuary town which would allow residents to own and carry a variety of guns (but not assault rifles) and "to be able to better protect our rights and families", and after a lengthy discussion wherein residents variously noted that
    - Some folks "don't feel particularly safe going to a grocery store with people packing guns and not subtle about carrying them" ((McClintock)
    - Police response time sometimes isn't as rapid as one would like
    - The term "sanctuary city" has particular meanings and could result in defying any future legislation restricting gun ownership or gun carrying
- A motion was made and seconded to approve a non-binding resolution to designate Shaftsbury a Second Amendment Sanctuary Town. After further discussion, a motion was made and seconded to amend the original motion to table discussion and have a proper, warned hearing on this issue, whereupon a motion was made and seconded to call the question, and that motion passed by voice vote. The motion to table discussion and hold a public hearing on the proposal then passed by voice vote, three or four opposed

- Korman question to residents about whether or not the pot-luck dinner before town meeting should be repeated next year was met with resounding applause
- Mellinger's admission that the cake she "merely decorated" which was served during the pot-luck "was actually made by Mrs. Hannaford", and this also was met with thunderous applause
- Fenwick expressed appreciation and thanks to everyone for taking the time to hear and discuss ideas which may run counter to what many folks might think
- In response to Baker's request for information about school related issues (which, because of the merger last year of the four elementary districts in the Southwest Vermont Supervisory Union, the school board meeting historically held prior to Shaftsbury town meeting did not occur), McEnaney, who is a member of the board of the merged districts, noted that there was a meeting of that board at the Bennington Fire House earlier in the evening and that he would try to ensure that Shaftsbury residents who are members of that school board will arrive early before town meeting next year to field questions/discuss issues and/or will ask to be placed on the agenda and speak during that meeting
- McEnaney also noted that the meetings of the recently formed school board are all posted to the Southwestern Vermont School Union (SVSU) website and are warned and open to the public
- Meyer also reported that the 2/26/20 edition of Vermont Digger included a report on education issues and finance in Vermont over the last several years.
- Dailey also noted that the monthly meetings of the Selectboard are also warned and open to the public, everyone welcome.

At 9:05pm, and after calling for but hearing no further comments, Dailey reminded voters that the polls will be open at the Buck Hill Road Fire Station 7am-7pm Tuesday March 3, 2020 for consideration of ballot articles and community appropriations. A motion was then made and seconded to adjourn the 2020 Town of Shaftsbury Annual Floor Meeting and, by voice vote, the motion carried unanimously.

Respectfully Submitted,  
Richard G. Bump