

Shaftsbury Water Board Meeting Minutes, October 4, 2021

Attending: Art Whitman, Ken Harrington, Tony Krulikowski, TA David Kiernan,

1. Call to Order at 5:30pm
2. Conflict of interest – none
3. Minutes – 9-13-21 Motion to approve Mr. Harrington, seconded Mr. Krulikowski, passed 3-0-0.
4. Public comments - None
5. Executive Session - Motion to enter Executive session by Mr. Harrington, seconded by Mr. Krulikowski. Motion carried 3-0-0.
6. Motion to leave executive session by Mr. Harrington, seconded by Mr. Krulikowski. Motion carried 3-0-0.
7. Mr. Krulikowski made a motion to adjourn. Seconded by Mr. Harrington. Motion passed 3-0-0. Meeting adjourned at 6:04pm.

dk

Shaftsbury Water Board Meeting Minutes, October 15, 2021

Attending: Art Whitman, Ken Harrington, Tony Krulikowski, Mike Cichanowski, TA David Kiernan,

1. Call to Order at 5:00pm
2. Conflict of interest – none
3. Minutes - none
4. Public comments - None
5. Executive Session - Motion to enter Executive session by Mr. Harrington, seconded by Mr. Krulikowski. Motion carried 4-0-0.
6. Motion to leave executive session at 6:07 pm by Mr. Harrington, seconded by Mr. Krulikowski. Motion carried 4-0-0.
7. Motion by Mr. Krulikowski - *The Water Board moved to authorize the Board's attorney to communicate with counsel for North Bennington and to express that the Water Board has met and considered the recent exchange between the attorneys, that the Board will aggressively defend any action initiated by North Bennington, will explore with counsel the bringing of affirmative claims for relief against North Bennington to include monetary relief, and will continue to assess the availability of other pursuing other administrative and equitable remedies.* Motion seconded by Mr. Harrington. Vote passed 4-0-0.
8. Mr. Krulikowski made a motion to adjourn. Seconded by Mr. Harrington. Motion passed 3-0-0. Meeting adjourned at 6:09pm.

dk

Shaftsbury Water Board Meeting Minutes, November 1, 2021

Attending: Art Whitman, Ken Harrington, Tony Krulikowski, Mike Cichanowski, Joe Barber, TA David Kiernan,

1. Call to Order at 6:01pm
2. Conflict of interest – none
3. Minutes – none
4. Public comments - None
5. Executive Session - Motion to enter Executive session at 6:03pm by Mr. Harrington, seconded by Mr. Krulikowski. Motion carried 5-0-0.
6. Motion to leave executive session by Mr. Harrington, seconded by Mr. Krulikowski. Motion carried 5-0-0.
7. Mr. Mr. Harrington made a motion to adjourn. Seconded by Mr.Cichanowski. Motion passed 5-0-0. Meeting adjourned at 6:22pm.

dk

Shaftsbury Water Board Meeting Minutes, November 8, 2021

Attending: Art Whitman, Ken Harrington, Tony Krulikowski, Mike Cichanowski, TA David Kiernan,
Attorney Sullivan

1. Call to Order at 6:00pm
2. Conflict of interest – none
3. Minutes – none
4. Public comments - None
5. Executive Session - Motion to enter Executive session at 6:03pm by Mr. Krulikowski, seconded by Mr. Harrington. Motion carried 4-0-0.
6. Motion to leave executive session at 7:11pm by Mr. Harrington, seconded by Mr. Krulikowski. Motion carried 4-0-0.
7. Mr. Whitman made a motion to adjourn at 7:12. Seconded by Mr.Cichanowski. Motion passed 4-0-0. Meeting adjourned at 7:12pm.

dk

Shaftsbury Water Board

December 6, 2021

Call to order

The water board meeting came to order at 6 p.m. in person and remotely via the Zoom platform. Present were board members Art Whitman, Tony Krulikowski, Ken Harrington, and Mike Cichanowski. Also present was town administrator David Kiernan.

Public Comments

Mr. Whitman reported that in the 1930s, the Jennings family purchased land, and then gifted it to North Bennington. The land contained sources of water. Various contracts were entered into over the years. In 1968, Shaftsbury residents were to pay 70% of what North Benningtonians should pay. Another putative contract says when there is a rate increase, North Bennington should approach the Shaftsbury Water Board. Over the years, that negotiation was ignored, and Shaftsbury simply paid what was asked. Until, finally, raises kept getting larger and larger. Beginning in 2019, former Select Board chair Tim Scoggins approached North Bennington, saying something isn't right when Shaftsbury residents pay the same as North Bennington residents. In the end, North Bennington denied Shaftsbury a contract, and said Shaftsbury would simply pay what they asked. Recently, North Bennington imposed an increased rate on Shaftsbury and demanded that Shaftsbury also pay for improvements to the North Bennington infrastructure. The North Bennington water board refuses to talk with the Shaftsbury water board. Meanwhile, Shaftsbury has not paid the increased rate nor the costs of improvements to the North Bennington system. As a result, North Bennington has sued Shaftsbury. Board members reported that no one can find state laws that apply to this situation.

Mr. Kiernan said the water board intends to set up a billing system to help users deal with this situation.

The board and members of the public discussed plans to spend ARPA funds on phase one of upgrading the water mains.

Adjournment

Mr. Harrington moved to adjourn the meeting at approximately 6 p.m. Mr. Krulikowski seconded the motion, which passed 4-0-0.