

**Town of Shaftsbury  
Selectboard Meeting  
6:00PM  
Monday, January 5, 2015  
Cole Hall, 61 Buck Hill Road, Shaftsbury**

**Selectboard Members**

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

**Absent: None**

**TA Present: David Kiernan**

**Others Present: Jim McGinnis, Joe Herrmann**

**6:00 Water Board Meeting**

1. **Call to Order**

Tim Scoggins (Chair) called the meeting to order at 6:00 PM.

2. **Conflict of Interest Statement**

No conflicts of interest.

3. **Water Superintendent Report**

Water Superintendent Jim McGinnis and Assistant Superintendent Joe Herrmann addressed the Select Board.

The budget shows that the entire amount of \$14,212 for the Bond payment for the new water mains should have cleared and only about half of the amount is shown as paid (\$6,688). Treasurer Bill Fisk later indicated that he has thus far been billed only for the lesser amount.

**Receivables**

Jim McGinnis distributed Billing Receivables sheet to the Select Board.

There are fewer delinquent accounts now than there have been since December 2012 (last date shown on data sheet).

The past due policy has helped.

On January 7, the Water Dept. will begin to shut off the water for past due accounts with no payment arrangements.

\$39,818.33 was past due as of December 10th. Total billings in November were approximately \$73,000 and \$18,000 was still outstanding from the previous billing cycle, but bill did not become delinquent until December 11

Over the last several years, there has been a large discrepancy, in the realm of 25%, between the amount of water NB billed us for and the amount we billed our customers. Suspects were leaks or faulty meters. The Water Department under Joe Herrmann has been replacing old mechanical meters with modern electronic meters over the last 4 to 5 years. In the last year, Joe Herrmann and Jim McGinnis, working together, replace 145 of 304 meters in our system.

The most recent data comparing water volume in and water volume out show substantial improvement. The two amounts are essentially equal. We will continue to monitor over time, as we always do, but if the discrepancy was the result of faulty meters and not leaks, it is very good news.

The pump is being upgraded at the Twitchell Hill station. This is a three-stage project.

Stage 1 was completed a few weeks ago. This stage was to get both pumps on line. One old tank and one old pump were left in case anything went offline.

Stage 2 will happen next week: For a four–five-hour period, the whole water main will be shut down and both pumps will be shut down while the pumps are changed.

Stage 3 will be to fix the individual lines that go directly to the pumping station.

The Water Department budget never falls short. The department has not borrowed extra money. They have a contingency fund for improvements.

4. **Adjourn**  
Special meeting adjourned at 6:30 pm.

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**Selectboard Members**

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

**Absent:** None

**TA Present:** David Kiernan

**Others Present:** Jay Palmer, Brian Babcock, Giles Pace, Bill Fisk

**6:30 Regular Meeting**

1. **Call to Order**

Tim Scoggins (Chair) called the meeting to order at 6:34 PM.

2. **Conflict of Interest Statement**

There are no conflicts of interest.

3. **Approval of Minutes**

Motion: Tim Scoggins moves to approve the minutes from the December 15 as edited. Mitch Race 2nds. 5-0-0. Motion approved.

Ken Harrington asked to change reference from “making Blueberry Hill a priority” to “make a priority of West Mountain Road from Blueberry Hill, north to 7A”.

Motion: Tim Scoggins moves to amend the December 15 minutes to better specify Ken Harrington’s change. Mitch Race 2nds. 5-0-0. Motion approved.

Motion: Tim Scoggins moves to approve the December 8th minutes as circulated. Mitch Race 2nds. 5-0-0. Motion approved.

4. **Approval of Warrants**

Motion: Tim Scoggins moves to approve check warrant #14 in the amount of \$71,169.21. Mitch Race 2nds. 5-0-0. Motion passes.

Motion: Tim Scoggins moves to approve retirement warrant #14 for \$31.15. Mitch Race 2nds. 5-0-0. Motion passes.

Motion: Tim Scoggins moves to approve a payroll warrant #14 of \$19,761.94. Mitch Race 2nds. 5-0-0. Motion passes.

Motion: Tim Scoggins moves to approve a retirement warrant for \$111.14. Mitch Race 2nds. 5-0-0. Motion passes.

Motion: Tim Scoggins moves to approve a check for reimbursement to Terry Stacy for \$19.69 for oil for the tractor. Mitch Race 2nds. 5-0-0. Motion passes.

Motion: Tim Scoggins moves to approve a payroll warrant #13 of \$22,190.45. Mitch Race 2nds. 5-0-0. Motion passes.

5. **Announcements**

None

6. **Public Comments**

None

7. **Treasurer's Report**

Treasurer Bill Fisk addressed the Board.

Summary information presented included tonight's warrants.

Revenues are about 87% of the annual budget at this point. Other funds will come in soon, such as state highway money.

Charges for services are 50% of what was budgeted.

Money has been transferred into the budget from the operating reserves: \$10,700 from the Reappraisal Fund, \$25,000 from Cole Hall Fund, \$8,500 from Culverts Fund, \$5,000 from the Garage Fund and \$10,898 for the Sidewalk Fund.

Two reserves have been transferred. Debt service has been paid. Community appropriations have been paid.

There is an excess of \$440,000 that will be consumed.

A \$120,000 deficit is budgeted for end of year.

Delinquent taxes have been reduced. School collections will be paid by end of next week.

The total fund balance is \$805,000 today.

David Kiernan stated that the Capital Projects Fund will keep special projects out the general fund.

The town has many funds that are grouped into categories: the general fund, designated funds (a subset of the general fund), and capital projects funds.

The capital projects funds prevents year-to-year fluctuations in the general fund and shows only the normal operating costs in the general fund.

There are six capital funds: Fire Equipment Replacement Fund, Equipment Replacement Fund, Sidewalk Fund, White Creek Fund, Cole Hall Replacement fund, Florence Beebe Fund.

Special Projects Funds are those that do not meet the definition of a Capital Projects Fund.

The Water Department Fund is an enterprise fund, which is a fund that covers the cost of the activity from user fees. Water Department fund has different accounting rules: it uses full accrual accounting.

Tim Scoggins discussed that the Sidewalk Fund is a reimbursement fund and \$97,000 is set aside in this fund. Should reimbursement of \$77,000 go in the sidewalk fund and put in the budget as a transfer fund for the next year?

Bill Fisk suggested that all the accounting for the sidewalk is done in the Sidewalk Fund. The payments will be made from General Fund, charged to the Sidewalk Fund. The Town should budget the difference between budgeted expenditures and the anticipated revenue.

David Kiernan explained that for White Creek, we only budgeted the amount we will spend.

Mitch Race clarified that the budget for the Capital Project goes into the red and the General Fund covers it, and when we are reimbursed, the money goes to the General Fund.

Tim Scoggins asked if another section for the budget is needed for advances from the General Fund to the Sidewalk Fund.

Bill Fisk explained that The Operating Transfers In and Out section of the spreadsheet covers this. In the future, an internal budget can be included.

Mitch Race asked if we have to ask the voters to approve this. Voter approval is required to put money in a reserve fund.

8. **FY 16 Budget**

a. **Starting point: Expenses down, taxes up**

Total expenses and total revenues are down. Excess fund balance of \$120,000 was used in lieu of raising taxes. This would have been a 3-cent tax increase.

The budget has been trimmed so only a 2-cent tax increase should be needed for this year.

b. New Class 3 Road Fund

There is a proposed dedicated Class 3 Road Fund.

We can set aside \$40,000 for the summer and work on projects without worrying about the change in Fiscal Year.

c. The Garbage Business

The garbage business is getting more expensive. Act 148 is requiring us to spend more money to collect garbage and recycle and track our waste stream.. There will be more reporting requirements, and weighing and handling requirements.

d. Real Estate Opportunities

i. Cross/Howard Land Swap – no cost

Proposal to swap unused land at Howard Park with property currently for sale next to Cole Hall. Acquiring the property through a land swap would protect us from losing the land for town operations.

Art Whitman asked to remove “no cost” from this item, since it is unknown if a cost will be involved.

ii. Bernstein Parking Lot – Possible Town Garage Site?

The Town has made inquiries into purchasing the Bernstein parking lot to use for a new garage.

Ken Harrington stated that the garage should be built at the Transfer Station.

Tim Scoggins stated we have been trying to get the garage built. The voters have been concerned about the site.. Some voters don’t like the idea of building an expensive building that they cannot see.

The Bernstein property is close to the center of town and is accessible.

Jay Palmer states that the Bernstein property is in a flood zone.

David Kiernan stated that inquiries have been made, but the owners of the Bernstein property have not stated that they would sell.

iii. Landfill residences for sale

There are two properties near the Landfill entrance that are not in the residential zone but have been grandfathered in.

The properties currently get water from a spring across the street, but if a new owner were to drill a well, there could be a liability issue for the Town if the well tested badly.

One of the properties is currently for sale. Should the Town try to acquire these properties now?

Possible uses are Town Garage, if Bernstein doesn't work out, or Solar Installation.

e. Other budget items

\$20,000 is expected from the sale of the mower and the forklift. This would be in the next fiscal year, in case something goes wrong with the loader. Parts from the forklift could be used on the new loader.

\$5K is budgeted for a gravel road consultant to provide a fresh set of eyes on road problems that seem to recur in the same spots.

Increasing the paving reserve by \$10,000.

Paving grants are only available for Class 2 roads. Harvest Hills is a Class 3 road.

The fund balance can roll over to the next year, if not used.

Creation of a drinking fountain and historic marker on the Cold Spring Historic Site.

Cold Spring has been an important town water source for generations. When Trenor Park built what is now the Park-McCullough House in 1865, he wanted Cold Spring water. A pipeline was built from Cold Spring in South Shaftsbury to the mansion in North Bennington. The pipeline crosses a picturesque stone bridge on Rollin Rd. Partners for this project include the Park-McCullough House Association, the North Bennington Water Dept. and the Bennington Bicycle Club.

We are in the finalists for a Vermont Arts Council Grant that could be up to \$15K. \$10,000 is budgeted to get the project going, which could include initial design and engineering, and grant matching.

Shaftsbury's Tax Compared to Similar Towns

Shaftsbury ranks low on taxes collected and the tax rate as compared to similar Vermont towns with a population of 3,800 and 50 miles of Class-3 roads.

Highway Department Overtime Increase

Highway Overtime line item was increase. The budgeted amount is in line with previous years budgeted amounts even though the full amount has not been used in recent years. Kiernan suggested that more overtime should be used to get the road plowed by rush hour.

The Highway Dept. start time had been 5 AM on snow days. David Kiernan explained that a school bus could not get up a hill earlier this year and the decision was made to have the Road Crew start earlier on snow days.

Since the amount of snowplowing is unpredictable, David Kiernan does not recommend hiring an additional worker, especially if another truck is not available.

Also, when overtime is exhausted, days off can be ordered (comp time).

Sheriff's Department

David Kiernan stated that the Sheriff's Department said there would be no increase, so the budget will remain the same.

Art Whitman stated that other towns in the county pay for more time from the Sheriff.

Tim Scoggins asked the Board if more Sheriff time should be considered.

Mitch Race is happy with the Sheriff budget.

Tony Krulikowski stated that Howard Park is an issue.

Motion: Art Whitman moves to increase the Sheriff's hours from 20 hours a week to 25 hours a week. Tim Scoggins 2nds.

Discussion: Mitch Race stated that the cost is an increase from last year since the grant was lost.

The increase for additional time for the Sheriff will be \$6,600.

Mitch Race stated that the increase will be from \$26,700 to \$33,000.

Mitch Race asked if money could be added to the Constable budget. Tim Scoggins stated that the Board has had that debate before.

Vote: 4-1-0. Race voting no. Motion carries.

Gravel

Ken Harrington asked if the budget for gravel has changed. David Kiernan responded that the budget for gravel will stay the same at \$60,000. However, the type and use of gravel will be reviewed since the same areas repeatedly need gravel.

Ken Harrington stated that "Generally, you can tell if there is lack of gravel, you find base stone alongside of the road." He has not seen evidence of base stone.

Budget increase

Currently, there is 2.4-cent increase in the tax rate.

**9. Town Administrator's Report****a. Road Report**

From Christmas day, 14 tons of materials were placed on the roads. Tomorrow, remaining potholes will be filled on Depot Road, and parts of Mattison Road, and parts of East Road.

The new bucket loader is doing well.

Request for bids will be placed on the website soon for OSHA compliance.

Contracts for bid will be on the website. It may be that new bids would be posted on certain days, perhaps the second or fourth Monday of the month.

b. Liquor License Renewal – Thymes Tables

Motion: Mitch Race moves to approve the liquor license for Thymes Tables. Tim Scoggins 2nds. 5-0-0. Motion carries.

Tim Scoggins will sign at Town Hall tomorrow.

c. Town Service Officer

Postponed until next meeting.

d. Flood Hazard Regulations/Clerk Certification

The Chair is required to sign as a second party to the Town Clerk on a document stating the Town Clerk certifies that we are keeping track of flood hazard regulations.

Motion: Mitch Race makes a motion to approve the Flood Hazard Regulations/Clerk Certification. Tim Scoggins 2nds. 5-0-0. Motion carries.

e. Lease Agreement – McCarthy Property

Motion: Tim Scoggins moves to allow Chairman to sign lease agreement with McCarthy for a 10-year agreement at \$300 a year. Tony Krulikowski 2nds. 4-0-0. Motion passed. (Ken Harrington stepped away.)

f. Sign Appointment Policy

There is no signed copy of the appointment policy adopted last year. The appointment policy was just for the Development Review Board and the Planning Commission.

Mitch Race said he has the final version of the Appointment Policy noted as passed in last year's minutes. However, he does not have a signed copy.

Ken Harrington, Mitch Race, and Tim Scoggins voted on the policy. This constitutes a majority and these members can sign the policy.

Tim Scoggins suggested to circulate a version and sign it.

There was some concern that the Appointment Policy may need further changes. It was agreed to identify the final version that was approved last year and have Scoggins, Race, and Harrington sign it. (They were on the board that approved the policy.)

g. Potential Road Name Change

There were conflicts with 911 and the names of two roads in Town.

The first road is Sawmill Road. There are two Sawmill Roads: one in Bennington and one in Shaftsbury. Since the Bennington post office delivers the mail to both addresses, there is confusion with the post office and 911.

Brian Babcock, a resident of Sawmill Road also known as Lower East Road, suggested East Mountain Road as a possible name change. There is no East Mountain Road in either Bennington or Shaftsbury.

The second road is Furnace Brook Road. It is built as a cross and two houses had the same number.

Rather than change the name of the road, the cross section will be regarded as a common driveway. Since the Town maintains the road, wording will have to be specific to ensure that maintenance continues.

10. **Other Business**

Next meeting is scheduled on the Martin Luther King holiday and the State has changed the Ballot Item deadline to Tuesday, January 20. The next meeting will be Tuesday, January 20, 2015 at 5:00 PM.

Tim Scoggins is trying to collect information on where in Shaftsbury we still lack high speed Internet and cell phone coverage. Contact Tim Scoggins or Dave Kiernan.

11. **Review of Action Items**

1. Appointment Policy: Identify Document and Circulate
2. Changing the budget to add additional time for the Sheriff
3. Warning for next meeting
4. Campaign for zoning bylaw changes

12. **Adjournment**

Motion: Tim Scoggins moves to adjourn at 8:45 PM. Ken Harrington 2nds. 5-0-0. Motion passes.

Submitted by Jennifer McGean, Recording Clerk

Next scheduled regular meeting is Tuesday, January 20, 2015 at 5:00 PM.  
(Moved from Monday, January 19, 2015 at 6:30 PM.)