

Shaftsbury Select Board
June 1, 2020

1. Call to Order

The meeting came to order at 6:30. Present were Selectmen Tim Scoggins (chair), Ken Harrington, Tony Krulikowski, and Art Whitman. Also present were town administrator David Kiernan and Planning Commission members Mike Cichanowski, Mike Foley, Chris Williams.

2. Conflict of Interest Statement

By roll call, it was confirmed that no one present had a conflict of interest with any item on the agenda.

3. Minutes

Minutes for May 18, 2020 by a vote of 4-0-0.

4. Warrants

Payroll warrant #24 in the amount of \$23,072.33 was approved 4-0-0. Later in the meeting, after the warrant was emailed from Kiernan to Scoggins, check warrant #31 in the amount \$44,431.35 was approved 4-0-0.

5. Announcements

Scoggins announced that the polling place for elections in August and November would be moved from the fire house on Buck Hill to the new DPW garage on North St, in order to facilitate social distancing. All citizens are further encouraged to vote absentee. Absentee ballots may be requested via the MyVoter page on the Secretary of State's website, which is linked at shaftsburyvt.gov.

6. Public Comments—none.

7. Treasurers Report

Melanie Dexter reported that she is expecting a delay in receiving tax payments this year compared to years past, for reasons mostly related to state education rates.

Mr. Kiernan asked to move a couple of items forward on the agenda. Two very old accounting-related policies remain on the books which are not compliant with the Town's professional auditors' requirements. Mr. Whitman moved to void the existing audit policy. Mr. Harrington seconded the motion, which upon roll call vote passed 4-0-0. Mr. Whitman moved to revoke the interfund transfer policy. Mr. Harrington seconded the motion, which upon roll call vote passed 4-0-0.

8. Emergency Manager Report –Paul Dansereau

Mr. Kiernan reported for Mr. Dansereau that Farmers to Families will take place at Morse Airport on Friday June 5 from 10a-2p. Food stuffs including non-perishable and perishable items distributed by the Abbey Group will be available for all. More information is available at www.shaftsburyvt.gov.

9. Town Operations update

Cole Hall remains closed except by appointment. Mr. Kiernan said the conference room will fit only 3 people at 200 s.f. per person, as required by Covid-19 protocols, so public meetings are unlikely to take place at Cole Hall any time soon.

10. Expansion of roadside commercial –PC

Mr. Scoggins reported that there is concern that the businesses at the intersection of Hidden Valley Rd. and Route 7A are not sustainable as the area is not zoned for commercial uses. Should any of those businesses shut down, they could continue in commercial uses only if the business interruption was one year or shorter. The Planning Commission instead recommended that commercial uses be expanded southward from the existing Village Center to the Bennington town line, but Mr. Williams said there would be little opposition from the Commission to rezoning the business cluster at that intersection. He said it could be considered spot zoning, but it reflects the situation on the ground at present. Mr. Harrington suggested extending the commercial zone north about a quarter of a mile beyond Old Depot Rd. Mr. Cichanowski said the Commission had also considered rezoning the area around Lamb Road.

Mr. Foley pointed out that there is plenty of commercially zoned area already in town; no one has been turned away, there is no demand. Neither the state nor the regional commission supports that kind of development. We have commercially zoned areas, but the Town doesn't want to spend the money on sewers to make them more developable. Also, neighboring towns already have plenty of unused commercial space available. He said he is uncomfortable going forward in a context where public participation is difficult.

Mr. Cichanowski said the first action item in the Town Plan is to encourage commercial activity and that a rezoning is an appropriate topic for discussion. Zoning should look decades ahead. The Village Center designation is unrealistic; such areas pose too many burdens on would-be developers. Today's young people don't have the opportunities those of earlier generations had.

Mr. Krulikowski said it would be appropriate to imagine what would happen at the Hidden Valley site when the landowners retire.

Mr. Scoggins said the Select Board agrees that the area around Hidden Valley Road should be rezoned (but is unclear what the boundaries of that new zone should be). The Select Board can direct the Planning Commission to produce a proposal. Mr. Scoggins summarized: the Commission recommended extending roadside commercial southward, but the Select Board rejected that proposal; the Select Board wanted roadside commercial at Hidden Valley, but the Commission rejected that proposal. Mr. Harrington said we should do everything we can to encourage non-residential development. Mr. Foley said a significant portion of the population wants to manage commercial activity through zoning.

Mr. Scoggins suggested pausing the discussion for further reflection. All agreed.

11. Appointment Michael Corey as alternate rep to CUD

Mr. Whitman moved to appoint Mr. Corey as an alternate representative to the CUD. Mr. Krulikowski seconded the motion, which upon roll call vote passed 4-0-0.

12. DPW Report

Mike Yannotti reported that routine grading, tree work, ditching, sign replacement, mowing and other maintenance are underway. Ditching and culvert work will begin shortly on Murphy Hill Road. He said VTrans is so far behind that it won't be able to help with repairing the sloughing action on White Creek Road. He hopes to hire an engineer to work on it. It will include boring. Hosley will be working on mowing beginning on July 1. Mr. Yannotti has booked a machine for mowing by Town employees for the month of September.

•Review bid documents for Shaftsbury Hollow bridge documents

Mr. Yannotti said the town has a grant to complete what would have been a slip line project at the bridge. Since the grant was awarded, ANR has disallowed such a repair. He recommends that the Town put out for bid an RFP for an engineered stamped plan to meet the hydraulic study for the bridge, with pricing. It will answer the question: with the new design, what will the new price be? The answer

will let us know whether the Town can afford it. Mr. Whitman moved to issue an RFP for the design and construction of a replacement for the Shaftsbury Hollow culvert. Mr. Harrington seconded the motion, which upon roll call vote passed 4-0-0.

- Proposal to engage engineering firm to design White Creek Road issues

Mr. Kiernan said he and Mr. Yannotti have agreed it is a good idea to put out an RFP for a design for a fix for the road, in anticipation of the release of federal funds for “shovel ready” projects. He proposed using 2021 paving funds to cover the costs of the design.

Mr. Harrington moved to ask Mr. Kiernan and Mr. Yannotti to generate an RFP for an engineering report on the problems with White Creek Road from about Rollin Road to the state line. Mr. Whitman seconded the motion, which upon roll call vote passed 4-0-0.

- Review proposed drainage improvements to Howard Park as required by MRGP

Mr. Kiernan would like to put the existing 30% engineering studies out to bid. The board moved to issue an RFP to address drainage improvements at Howard Park. The motion passed 4-0-0.

- New sign for Howard Park

The recreation committee has approved a design, at a cost of \$2000 (to be paid by a bequest to the park and reserve funds). The Select Board had no objection to the design.

- Certification of compliance, Road and Bridge Standards and network inventory

Mr. Whitman moved to certify that the Town of Shaftsbury complies with road and bridge standards and has a network inventory and that Mr. Scoggins should sign the statement. Mr. Harrington seconded the motion, which upon roll call passed by a vote of 4-0-0.

- Annual financial plan for town highways.

Mr. Harrington moved to approve the annual financial plan for town highways and allow the chair to sign it. Mr. Whitman seconded the motion, which upon roll call vote passed 4-0-0.

13. Cole Hall –proposal to engage architects to design accessibility improvements to building
The item was tabled to a later meeting.

14. Proposal to waive new TS access permits

Mr. Kiernan said it would be difficult to safely collect payments at the transfer station, and waiving the permit renewal fee would have little financial impact on the town budget. Mr. Harrington moved to waive access permit renewals for one year. Mr. Whitman seconded the motion, which upon roll call vote passed 4-0-0.

15. Policy –Ordinance review/repeal: Reimbursement for Continuing Education; Audit policy; Inter-Fund Transfer policy; Pay Period; Accounts Payable Policy
This item was postponed to a later meeting.

16. Other Business

Mr. Kiernan will be working with Ricky Harrington renew the annual agreement with the Town of Glastenbury. He will present it at the next meeting.

Mr. Whitman asked whether the Town should require masks. Consensus was that there is little retail in Shaftsbury and the move would have little effect..

17. Review of Action Items

DPW RFPs.

Revisit Cole Hall question at next meeting.

18. Executive session personnel

Mr. Harrington moved to enter executive session to review a personnel issue. Mr. Krulikowski econded the motion, which upon roll call vote passed 4-0-0.

19. Adjournment