

**Town of Shaftsbury  
Selectboard Meeting  
6:30PM  
Monday, August 18, 2014  
Cole Hall, 61 Buck Hill Road, Shaftsbury**

**Members Present: Tim Scoggins, Mitch Race, Art Whitman, Ken Harrington**

**TA Present: David Kiernan**

**Members Absent: Tony Krulikowski**

**Others Present: Bob Moffitt, Bob Holmes, Travis Buttle, Jennifer McGean**

**6:30PM Regular Meeting**

1. Call to Order  
Meeting is called to order at 6:30 pm by Tim Scoggins.
2. Conflict of Interest Statement  
No conflicts of interest.
3. Approval of Minutes  
**Motion:** Mitch Race motions to approve the August 4, 2014 minutes as amended. Art Whitman 2nds. (Ken Harrington abstains; he was absent from meeting.) 3-0-0.  
Motion passes.
4. Approval of Warrants  
**Motion:** Tim Scoggins motions to approve check to attorney for tax sale for \$?????. Mitch Race 2nds. 4-0-0. Motion passes.  
  
**Motion:** Tim Scoggins motions to approve general journals warrant for \$321.45 for payroll mistake.  
**Discussion.** David Kiernan explains that a new person did the payroll and did not figure in raises and other adjustments. Mitch Race 2nds. 4-0-0. Motion passes.  
  
**Motion:** Tim Scoggins motions to pay the check warrant for \$74.78 for Retirement. Ken Harrington 2nds. 4-0-0.  
  
**Motion:** Tim Scoggins motions to pay Payroll warrant in the amount of \$18,336.47. Mitch Race 2nds. Motion passes 4-0-0.

**Motion:** Tim Scoggins motions to approve check warrant #4 for \$66,100.24 including a \$38,203 check to Sun Trust Equipment for an installment on the grader. Mitch Race 2nds. Motion passes 4-0-0,

5. Announcements

- a. Mitch Race reads a letter he has written in response to the outcome of the proposed VR2 district by the Planning Commission. In response, Tim Scoggins states, "We mean no disrespect to the Planning Commission...". The Select Board as a whole considered the possibility but this was the course the Select Board chose to take.
- b. A letter is read from Fire Chief Joe Vadakin that Firefighter Charlie Becker will be on the WCAX TV in Burlington Super Seniors segment on Burlington TV on Thursday night. Charlie will be doing a bicycle stunt during this segment. Charlie is 90 years old and has been a firefighter for 66 years.
- c. The Select Board meeting scheduled for September 1, 2015 will be moved to September 8, 2015.

6. Public Comments.

- a. Bob Moffitt gives a copy to Select Board and comments on a statute that states "No permit for a farm structure should be required."

Art Whitman states that he thinks you need to have approval for set-backs.

David Kiernan comments that Bob Moffitt is welcome to come to the office for a discussion on the requirements of zoning.

- b. Bob Holmes of the Auditors discusses the Auditors' role in developing the Town Report. Bob informs the Select Board that deadlines for reports are due on December 1<sup>st</sup> of each year to ensure the Town Report will print and be available 10 prior to the Town Meeting in March as required by law. This deadline is dictated by the printer. Each year, some not-for-profits and town officials do not submit their materials on time.

Bob Holmes discusses the possibility of not putting those who fail to submit on the ballot and not publishing their reports in the "book" (Town Report).

Tim Scoggins states there is a difference between people asking for money and department heads. If people asking for money do not submit, they do not get money and do not get to be in Town Report. Town officials and town committees need to submit reports.

Bob Holmes states that two reports did not go in the Town Report last year.

Art Whitman asks take for—for example—the Ambulance Corps submits applications but not report, do they get the money. Bob Holmes responds that they will not receive money.

Bob Holmes states that reminders are sent out. Tim Scoggins states Bob Holmes should contact him or David Kiernan if items are not received two weeks ahead of time.

Bob Holmes states that the Town of Bennington sends out a postcard. Their town reports are printed on newsprint. Should we do this or continue printing our Town Report books.

The cost of printing our Town Reports is \$5,000. The cost of mailing is \$500. 1,850 copies are printed. We have the budget to continue.

**Motion.** Mitch Race motions to continue printing and mailing out Town Reports. Tim Scoggins 2nds. 4-0-0. Motion passes.

Tim Scoggins asks how much work is it for people to opt out and read it on the web instead. Bob Holmes explains that these are mailed by bulk permit meaning that there are no mailing labels.

7. Road Foreman Update

Terry Stacy is unable to attend meeting. David Kiernan gives update.

a. White Creek / Bank Paving, sink hole

White Creek is getting the final coat tomorrow. Pavement will be completed and it is good on budget.

CQCA took core samples Friday for the depression by Brownell's on White Creek Road. There is a 26 foot ledge with 12 to 17 feet of "goo." There is a pile on the shoulder of the roadway that pushed up from the work. They drilled a few holes and were there for six hours.

The material is a gray clay, very watery.

Tim Scoggins states the material "looks like wet cement but it doesn't dry out."

Contractors and AOT have been and will be consulted.

State emergency funding may be available at \$49,000, 10% of our highway budget.

Ken Harrington states that a well-point system may work. Drive the wells with cranes and it will take down the whole water table in the whole area.

Tim Scoggins asks if we know the lateral extent of the problem area. David Kiernan states that he does not have that item.

David Kiernan states that if we dam, it might just push problems to another area of the road.

Art Whitman comments that this is not just a town road, but a connector to another state.

David Kiernan acknowledges that this is a bi-state connector and we will look into another funding source.

b. Roadside Mowing

David Kiernan reports that Terry Stacy said the mowing was complete but they are out doing a few patches.

Art Whitman states that he had the assignment of looking for a bush hog. We already have one and David will find out from Terry if it is suitable for mowing the landfill cap.

Bob Moffitt mentions that on Shaftsbury Hollow there is a driveway culvert filling up with branches and leaves.

8. Truck Financing

There are two bids thus far. The bids are not due until the 26<sup>th</sup>.

Lease/purchase method is used to allow purchase without vote. For a straight purchase, there must be a floor vote or vote by Australian ballot.

Art Whitman wants to know why we are leasing and paying so much in interest.

Tim Scoggins states that this process started in 2008 when interest rates were low and the economy was bad. Interest rates are in the 4–5% range now, so we should re-evaluate.

9. Glanovsky Property – Status

Kevin O’Toole has the information from the Maguires. Background: After the tax sale, an abutter named Maguire wished to purchase the land. The Maguires will pay the tax and take a chance to own it.

10. Snowmobile Ordinance

**Motion:** Tim Scoggins motions that the previous motion regarding snowmobiles on roads is invalid because we need an ordinance. Art Whitman 2nds. 4-0-0. Motion passes.

There are state statutes that govern how snowmobiles travel on roads. Game Warden Travis Buttle joins for discussion of snowmobile rules.

Travis Buttle states the concern is that snowmobilers will encroach on personal property.

Woodford has a map of snowmobile trails for the town.

There must be a written agreement between the private (property) owner and individuals or snowmobile club to use property.

The club should maintain the trails.

Travis Buttle expresses that he is happy to be a conduit between the club and the Select Board.

Tim Scoggins states that the Select Board has more homework to do with respect to snowmobile ordinance.

Travis Buttle asks, "Have you reached out to VAST (Vermont Association for Snow Travelers)?" Recommends to call president or vice president.

Signage will be needed to indicate where snowmobilers are allowed.

Tim Scoggins states, "We have to let the Snow Pilots know that we haven't been able to help them yet."

11. Town Administrator's Report

a. Update on Sidewalk Project

David Kiernan reports that the last part which is the right-of-way permissions is being finished. Project slated to begin next May but will start after the end of the next school year.

It did not start this year because there are issues with ROWs (right of ways) and utility lines.

b. Hazard Mitigation Plan

The plan must be completed by mid-October this year to be eligible for full FEMA funding. It must go on every meeting agenda going forward.

Mitch Races asks if we already have a Hazard Mitigation Plan.

David Kiernan explains that this is a new one.

Tim Scoggins states that the Select Board will need copies. David Kiernan will give copies.

c. Culvert on Shaftsbury Hollow

Ken Harrington asks about the status of the culvert on Shaftsbury Hollow. David Kiernan explains that grants may be available next year.

Art Whitman states that Terry Stacy explained that you cannot shut the road down that long. A temporary bridge must be built.

12. Other Business

SWIP (solid waste implementation system) –Mitch Race and David Kiernan attended BCRC meeting in Arlington last week. It was discussed that more household hazardous waste days will be added to the schedule each year.

The towns need to decide what type of SWME (solid waste management entity) to form. A district or an alliance.

One difference between a district and an alliance is that the district removes operations from the town level.

Mitch Race states that the State wants a baseline (for amount of waste). Casella and TAM may be able to provide data.

David Kiernan states that independent haulers and out-of-state carters may skew results.

Ken Harrington states, “To me, the easier they make it, the more compliance you get.”

Scale at the Transfer Station –David Kiernan reports that the scale is broken again. Art Whitman will give name of contact to purchase a new one from a different company

Water fountain – Tim Scoggins reports that there is a spring that generates water on Cold Spring and Coulter Roads. Tim Scoggins proposes reviewing the “Animating Infrastructure” grant to invoke history and create a fountain there.

13. Review of Action Items

- Public hearing on Town Report will be August 25, 2014.
- David Kiernan will check into the blocked culvert on Shaftsbury Hollow Road.
- Tim Scoggins will take the lead on the snowmobile ordinance.
- David Kiernan reminds that Hazard Mitigation Plan is needed by October. Public hearings will be a critical part of the process.
- Art Whitman will help to get a new scale.
- Art Whitman announces that the Planning Commission has one opening.

14. Adjournment

Motion: Tim Scoggins motions to adjourn at 8:45 pm. Ken Harrington 2nds.  
4-0-0.