

**Town of Shaftsbury  
Selectboard Meeting  
6:30 PM  
Monday, July 18, 2016  
Cole Hall, 61 Buck Hill Road, Shaftsbury**

**Selectboard Members Present: Tim Scoggins (Chair), Tony Krulikowski, Ken Harrington**

**Selectboard Members Absent: Mitch Race, Art Whitman**

**TA Present: David Kiernan**

**Others Present: Michael Keane, Ed Corey, Melanie Dexter, Deena Ruege**

**1. Call to Order**

Tim Scoggins (Chair) called the meeting to order at 6:30PM.

**2. Conflict of Interest Statement**

NONE

**3. Approval of Minutes**

Motion: Tony Krulikowski moved to approve the Meeting Minutes from July 5, 2016.  
Ken Harrington seconded.

3-0-0 Motion approved.

Motion: Tony Krulikowski moved to approve the Special Meeting Minutes from July 11,  
2016. Ken Harrington seconded.

3-0-0 Motion approved.

Motion: Tony Krulikowski moved to approve the Water Board Meeting Minutes from  
July 5, 2016. Ken Harrington seconded.

3-0-0 Motion approved.

**4. Warrants**

Motion: Tony Krulikowski moved to approve Check Warrant #2 \$48,763.32. Ken  
Harrington seconded.

3-0-0 Motion approved.

## 5. Announcements

NONE

## 6. Public Comments

Michael Keane, a resident of Dorset and an employee of Southern Vermont College, came before the Board in his endeavor to petition VTrans to raise the speed limit on Route 7 between Bennington and East Dorset to 65 mph. Mr. Keane has initiated a petition to the State to ask for the increase in speed limit and currently has 243 signatures on the petition. The State informed Mr. Keane that it doesn't usually hear requests from residents, but rather seeks input from local municipalities in such matters. Mr. Keane is seeking a written request from each affected municipality seeking an engineering study on the subject stretch of Route 7.

Tim Scoggins asked what the benefits to raising the speed limit would be. Mr. Keane replied that it would be a matter of convenience but he also feels the limit imposed puts a spotlight on tourists who naturally tend to speed through the area. Mr. Keane also pointed out that it may be a safety concern as well because individuals who obey the speed limit on that stretch may cause other motorists to pass in unsafe conditions.

Mr. Scoggins said that the Board would take the matter under advisement as the Board was lacking two (2) members that particular evening.

Ed Corey also appeared before the Board to suggest that the Town offer to pay for the cost of cleaning up the property at 510 North Road (which is currently under contract for purchase by the Town) and then reduce the sales price by an equal amount. Tim Scoggins said that the price was already negotiated and the property was being purchased "as is." Mr. Scoggins went on to say that the building on the property would be razed immediately following purchase.

Mr. Corey then asked about the testing for PFOAs at the former landfill site. Mr. Scoggins replied that one of the wells was required to be tested and that the water sample has been drawn and is now being analyzed.

Mr. Corey informed the Board that he had been in contact with CAT-TV and had asked about obtaining copies of a Select Board meeting broadcasts but they were not available. Tim Scoggins pointed out that the meetings are now posted on YouTube for public viewing. Mr. Corey said that, in the past, tapes of the meetings went "into the minutes." David Kiernan said that anyone can go to their local library and view the minutes. Mr. Corey said that he believed that the Town should have VHS tapes available.

Mr. Corey then presented an estimate on the resurfacing of the apron on Corey Drive. Mr. Scoggins said that the project was already on the list for discussion in the upcoming budget sessions.

#### **7. Treasurer's Report**

Melanie Dexter presented a mid-month report to the Board that the Town looks good on receipts and that she will not have to take out any money on the Line of Credit for at least another month. Tim Scoggins asked about the year-end wrap up for FY16 and Ms. Dexter replied that it was pretty close to her last estimate but she is waiting on some checks to clear.

Ms. Dexter announced that next week, she would be out of the office and that Joan Vargo would be available to print out tax bills and that any payments could be made via the lock box in the Town Office lobby. Ms. Dexter also pointed out that since the Grand List has not been finalized, she has not been able to begin the process of sending out tax bills.

#### **8. Road Foreman Report**

Steve Washburn was not in attendance at the meeting. David Kiernan reported that several recent rainstorms have created deep ruts in some of the dirt roads. Mr. Kiernan went on to report that this type of work would need to be cut back as there are scheduling issues coming up with the paving projects slated for this summer. All work on Harvest Hills, Hewitt Drive and Paran Acres must be done by mid-August. Culverts also need to be replaced on East Road prior to paving. Mr. Kiernan reported that until the major projects were completed, spot-grading and other minor road issues will have to wait. Mr. Kiernan also mentioned that the seasonal (summer) crew member is out for an undetermined amount of time with a non-work-related injury.

#### **9. Brownell Certificate of Location Approval**

Tim Scoggins reminded the Board that a Special Meeting had been held on July 5, 2016 for the review of the Certificate of Location Approval for Brownell's Salvage Yard. At that meeting, it was discussed that the State has monitored the water on the property and has determined that testing is no longer necessary. Brownell's no longer crushes cars at the property and therefore, no fuels are discharged on the property. Mr. Scoggins went on to say that since the Town's original stipulation with Brownell's had been executed, legislation specifically addressing salvage yards had been passed and the State inspects the yard on a regular basis. The Selectboard determined that some of the conditions imposed by the original stipulation could and should be revised in light of these developments. David Kiernan presented a revised agreement with Brownell to the Town's attorney for review and the attorney had made some minor wording changes, but the conditions agreed upon at the July 5<sup>th</sup> meeting still held.

Motion: Tony Krulikowski moved to approve the Certificate of Location Approval for Brownell's Salvage Yard. Ken Harrington seconded.

3-0-0 Motion approved.

#### **10. Howard Park and Cleveland Park Playground Re-Builds**

David Kiernan updated the Board and informed them that as of July 18<sup>th</sup>, all equipment deemed unsafe by the insurance company had been removed from both Cleveland and Howard Parks. Mr. Kiernan reported that he was now soliciting bids from companies that provide engineered wood fiber for a 75' x75' square at Cleveland Avenue for fall protection. The area will need to be dug down 12" to 15" and then lined with fabric before putting down the wood fiber. Mr. Kiernan said that the Park and Recreation Committee had met and discussed conditions at Howard Park and it was agreed that a fall protection zone was also needed under playground equipment, but that the playground would likely need to be moved away from the pond on the premises, which was deemed an "attractive nuisance." Mr. Kiernan said that a small fence would also need to be installed around the pond.

Mr. Kiernan reported that the swingset may need to be replaced at Howard Park and some fire pits will also be pulled out. David Kiernan estimated the cost of the wood fiber for the fall zones to be about \$7,500.00 in material alone. Mr. Kiernan said that he expected the Town to perform the labor.

Mr. Kiernan went on to report that the well at Howard Park is fully operational but two (2) more water tests are required by the State, as it is a public water source. Mr. Kiernan said that a water fountain will likely be installed before FY18 at a cost of \$2,500.00-\$3,000.00. Ken Harrington pointed out that the old water fountain at the property had been vandalized and asked about securing it during the off-season. David Kiernan said that he was looking into aiming a camera at the fountain to deter vandals. Tim Scoggins asked if it was worth purchasing a more expensive water fountain system or if a cheaper fountain would be sufficient and less of a loss to the Town if vandalized. David Kiernan said that options were worth exploring.

Deena Ruege informed the public that the next meeting of the Recreation Committee would be Friday, July 22<sup>nd</sup> at 10AM at Cole Hall.

#### **11. Proposed Town Garage**

Tim Scoggins said that he did not have anything to discuss in the regular open meeting but he did have some matters regarding negotiations that he wanted to discuss in the Executive Session later on.

## **12. Sidewalk Project Corner of 7A and Church**

David Kiernan reported that the bids are out as of July 18<sup>th</sup>. Bidders do have to be on the approved list for VTrans as this is a federally-funded project. Mr. Kiernan said that potential bidders could go to the Town's website for information on how to obtain bid sets. Bids will be due by August 8<sup>th</sup> at noon. Mr. Kiernan further reported that he expected the bid to be awarded at the regular meeting on August 15<sup>th</sup>. On July 27<sup>th</sup> at 10AM, there will be a non-mandatory site visit with engineers from KAS. Mr. Kiernan also said that there is a separate Request for Proposals for a construction inspector, which is a separate bid for the project supervision.

Ken Harrington asked if there was an expected completion date for the project. Mr. Kiernan said that the date of completion will be December 20, 2016.

Tim Scoggins said that two Selectmen will be needed on August 8<sup>th</sup> for the bid opening. Tim Scoggins said that he will be able to attend. Tony Krulikowski said that he would likely be able to attend, Ken Harrington said he would attend if Mr. Krulikowski could not.

## **13. Elm Street Speed Limit Change**

David Kiernan reported that the Town is now looking at adjusting the speed limit on Elm Street. Mr. Kiernan performed a brief observation of the road and determined that an extensive study, including review of aspects of the road, radius of turns and driver reactions, would be needed. Mr. Kiernan said that the road is quite narrow and that Green Mountain Power is looking to move power poles on the road as they are hit often. Mr. Kiernan said that he believed that setting the speed limit at 25 mph is reasonable for Elm Street. There will be opportunity for the public to comment, or object to, the limit change.

Tim Scoggins said that the State requires a road study prior to changing the speed limit but that the Board will decide if the limit is actually changed.

## **14. Town Administrator's Report**

Mr. Kiernan said that all items on his list had been addressed.

## **15. Other Business**

NONE

## **16. Review of Action Items**

7/5/16 Water Board Meeting:

- Jim McGinnis will provide copy of North Bennington Water Regulations to fold into Shaftsbury Regulations – **Tim Scoggins said that he has a PDF copy but not a Word Document to be altered.**
- Jim McGinnis to speak with Town Tax Collector about possibly foreclosing on a property due to a delinquent water bill

7/5/16 Regular Meeting:

- Corey Drive – will look into fitting into road projects for upcoming budget year
- David Kiernan will generate cost estimate on park safety improvements needed in next 30 days – **Mr. Kiernan reported that he estimated \$7,000.00-\$9,000.00 for materials for Cleveland Avenue and would hold off on Howard Park until a plan could be formed for design.**

7/18/16 Regular Meeting:

- Scheduling Selectboard members to attend bid opening on August 8<sup>th</sup>

## **17. Executive Session re: real estate negotiations/personnel**

Motion: Tony Krulikowski moved to go into Executive Session at 7:58PM. Ken Harrington seconded.

3-0-0 Motion approved.

## **18. Adjournment**