

**TOWN OF SHAFTSBURY
ANNUAL TOWN MEETING MINUTES
Monday, March 5, 2018 Shaftsbury Elementary School**

Select Board Members Present: Tony Krulikowski; Tim Scoggins, Chair; Art Whitman, Vice-Chair.

Moderator: Thomas Dailey.

Others Present: Holly Bahan; Alan Baker; Richard Bump, Recording Secretary; Derek Carlson, Bennington Banner; Bill Christian; Jay Coonradt; Melanie Dexter, Treasurer; Lynn Sternberg; Joan Dornhoefer; David Durfee; Bill Fisk; Marlene Hall, Town Clerk; Nicole Hall, Librarian, McCullough Free Library; Tyler Jenks; David Kiernan, Town Administrator; Fran Kinney; Joan Lavigne; Mike Lillie; Lindy Lynch; Barry Mayer; Karen Mellinger; Lon McClintock; Alice Miller, Shaftsbury State Representative; Naomi Miller; Brad Peacock; Jenny Rozycki, Librarian, McCullough Free Library; Jennifer Scoggins; Andrew Schoerke; Merton Snow; Terry Stacey; Chris Williams; Gabriel Watson; and about 70 other Shaftsbury Residents and visitors (with apologies for any names misspelled).

CAT-TV: This meeting was filmed but not broadcast live by Beq Lendvay.

After calling the meeting to order at 7:30pm, Dailey led everyone in the Pledge of Allegiance which included a Color Guard of girl scouts who marched the flag to the front of the room. Dailey then asked for a moment of silence and to “look around” and consider “regardless the divisiveness” around the world, “we still have the opportunity to assemble and to govern ourselves”. Dailey also asked people to remember volunteer fire fighter Shelby Coon, who died the previous day in an automobile accident. After the moment of silence, Dailey then

- introduced Selectboard members as well as various town administrators
- thanked employees, committee members, listers, auditors, trustees and volunteers and everyone working to make Shaftsbury a better place to live.

And those present responded with an enthusiastic round of applause for all folks just mentioned.

Dailey pointed out fire emergency exits from the room, reviewed speaking and voting procedures, and then asked for and received a motion which was made and seconded to dispense with the reading of the Annual Meeting Warning, and the motion carried by voice vote and with no discussion.

State Representative's Report: Miller suggested that Dailey forgot to include one person in the group of administrators, employees, etc just listed, namely himself, and the crowd then gave Dailey a round of applause as well., After noting that her report is on page 38 of the Annual Town Report, Miller briefly reviewed recent actions in Montpelier year including

- work on a special education spending bill to try to decrease that cost by \$140,000,000 by increasing flexibility and decreasing paperwork
- an award of \$445,000 to the Veterans Home in Bennington
- discussion about shifting taxation away from property values and to income level sensitivity, a work-in-progress with current thinking that income below \$47,000 would be exempt from taxation
- on-going discussion to increase gun safety without attempting to take away guns used for hunting
- a change in traffic violations in that people can now be stopped for not using a seat belt (as opposed to be stopped for some other issue and then cited for not wearing a seat belt)

- unclaimed funds held by the state Treasurer total \$800,000 and residents should check on-line to see if any of that money might belong to them.

After a brief discussion, Miller noted that the phone number listed in her report is incorrect and should be revised to 802-430-1615 and that this may be the reason some people have had trouble contacting her office.

Selectboard Report: Using a power-point format, Scoggins then reviewed the Selectboard Report, noting that that the “FY19 budget continues our trend of the last four years of improving town services and infrastructure with little or no increase in taxes and expenses”, and as evidenced by

- completion of overdue maintenance of town parks including resurfacing the tennis court, improving the baseball dugouts, and a well at Howard park
- a doubling of capital funds for road improvement
- the now annual audit of town finances
- establishment of a Capital Equipment Reserve fund for the purchase of future highway equipment without needing to borrow
- scheduling/implementing overdue maintenance and improvements of Cole Hall
- the upgrade of the phone system and website.

Scoggins also noted that increases to the budget for next year include funding

- \$15,000 for the Bennington Rescue Squad (up from \$7,500 last year and \$2,000 the year before) mostly due to the fact the Reserve Fund for this service is now “gone”
- increases in other Community Appropriations (assuming that all will pass)
- for hazardous tree removal, with the assistance of Green Mountain Power in some locations
- on-going PFOA testing and mitigation.

Scoggins closed his report noting that recent economic development efforts include

- the rewrite of the Zoning Bylaws
- investigation about ways to bring back a country store-like business
- in anticipation of the state’s VOREC initiative, the Planning Commission is considering ways to improve hiking trail access to the Town’s municipal forest land off West Mountain Road.

In subsequent discussion, residents briefly noted that

- the Ancient Road Committee may have researched and documented trails in Shaftsbury
- funding for the new garage, salt shed, and old garage are all included in the budget

FY17 Town Warning:

Article 1: A motion was made and seconded to waive the reading of and to accept the reports of the Town Officers as published. The motion carried by voice vote and with no discussion other than that already noted.

Article 2, A-D: A motion was made and seconded to pay annual stipends/wages for the upcoming year and as follows

- Selectboard members: \$500 each, amended to \$650 each (see discussion below)
- Board of Auditors: \$10.50 per hour
- 1st and 2nd Constables: \$10.50 per hour
- Board of Listers: \$10.50 per hour

but after Mellinger recommended that the stipend for the Selectboard members be amended to \$650 (“their pay was cut when finances were tight and they work tons of hours”) the motion was amended as recommended. In response to Bahan’s question about health insurance benefits available to elected officials (“which personnel policy are we on?”); Dailey suggested that this question should be deferred to

the budget discussion later in the meeting. Dailey then called for a vote on the motion, as amended, and the motion carried by voice vote, with no abstentions or opposition.

Article 3: A motion was made and seconded to authorize the collection of taxes on real and personal property by the Town Treasurer, which are due in hand on or before Friday, November 9, 2018 at 5:00pm or likewise postmarked no later than Friday, November 9, 2018 and the motion passed by voice vote, with no abstentions or opposition.

Article 4: A motion was made and seconded to appropriate the sum of \$1,900,300 to defray the Town's general and highway expenses for Fiscal Year 2019, the amount of such sum to be raised by property taxes and to be reduced by non-tax revenues and reserve funds as detailed in the *Town of Shaftsbury Annual Report for the Year ending June 30, 2017* (Appendix B, pages 3-15). After Scoggins noted that the \$1,900,300 budget does not include the Community Appropriations (see main report, pages 7-8) and Dailey noted that the budget amount should be amended and increased by \$750 to \$1,901,050 to accommodate the increase to Selectboard stipend, residents then engaged in an extended discussion about whether or not personnel policies regarding health insurance coverage are available to elected officials. During that discussion, residents variously noted that

- the personnel policy "clearly states" that the policy does not apply to elected officials while at the same time the FY19 budget includes health insurance coverage for an elected official (Bahan)
- the personnel policy applies to employees but also does not prohibit elected officials from this sort of coverage (Scoggins)
- the previous Town Clerk had health insurance, and that is being reinstated in FY19 and after a one year absence (Scoggins)
- the "comprehensive employment policy" adopted by the Selectboard was "geared" towards full-time employees, mostly in the highway department (McClintock)
- that policy can be considered a "work in progress" which can be changed by the Selectboard without requiring town meeting approval (McClintock)
- the Town Clerk became an employee of the town, a position which historically was eligible for health insurance, and the Selectboard is not violating any policy by extending health coverage to this position (McClintock)
- an elected official is elected by the voters, whereas an "employee is someone you hire" and state labor department says that elected officials are exempt (Snow) and this is something "which needs to be looked at more closely"
- most if not all of the Town Clerk's wage is covered by the funds that position raises as part of executing the requirements of the position (Watson)
- the change made last year provided the Clerk with a stipend and with all fees collected by that position receipted by the town (Scoggins)
- most towns in Vermont offer health insurance to the Clerk, and this position is "the face of this town", the position is paid for by the fees collected and we "should not be quibbling over this" (Mellinger, followed by applause)
- the Collector of Delinquent Taxes has brought in "millions of dollars to the town over many years...and maybe that position should receive health insurance benefits as well" (Snow)
- the town voted "years ago to not offer health insurance" and therefore the town would need to vote to rescind that action (Stacey)
- that's what will happen if this budget is approved and that action was taken when the Clerk worked a lot fewer hours than now (Scoggins)

- in order to better accommodate the needs of the community, the Town Clerk increased office hours from 25 to 35 hours per week, to include evening hours as well as additional work related to the cemetery plots (Scoggins)
- the Selectboard cannot “control the hours worked but we do control the salary” (Scoggins).

A motion was then made and seconded to call the question and this motion, which is not debatable, passed by voice vote. Dailey then reminded residents of the motion on the floor to approve the FY9 budget at \$1,901,050 and the motion carried by voice vote.

Article 5: In response to Dailey’s request to transact any other non-binding business as legally may come before said meeting, Scoggins reviewed and townspeople discussed the ballot articles to be voted on March 7, 2017, and as follows:

Ballot Article 1 - To determine state as well as local Action Steps to reduce fossil fuel consumption/exposure with an increase in renewable energy, and related issues (as detailed on page 7 in the Warning for the Annual Meeting)

Ballot Article 2 - To determine if the Town shall vote to exempt the Taconic Community Grange from payment of property tax for a period of five years.

Ballot Article 3 - To determine if the Town will make certain community or regional appropriations
These 25 items were separately detailed in the Warning of the Annual Meeting, pages 7-8.

Citizen Comments:

- a. *McCullough Free Library Appropriation:* Rozycki, Lynch, and Hall all spoke in favor of the \$20,000 appropriation for the McCullough Free Library in North Bennington, variously noting that
- circulation has increased 25% with more than 3,000 more visitors over the last few years
 - the funds will be used for programs, high speed Wi-Fi, books and materials
 - the Solar Eclipse program and Polar Express events drew a huge number of participants
 - 33% of library visitors/members are from Shaftsbury
 - in addition to municipal funding, the library has an active fund-raising plan.

Somewhat later in the meeting, Miller noted that

- 78% of both parents work in Vermont,
- libraries provide a “safe-haven” for children during the “most dangerous” times for them between 3 and 5pm

and urged residents to support this appropriation.

- b. *Community Grange Exemption:* Snow asked residents to vote for the property tax exemption for the Grange noting that
- this will reduce Grange expenses carried by its 30 members by \$5,000
 - the Grange annually provides all 3rd grade students with a dictionary
 - the Grange was renovated over the last several years and is available for various activities
 - anyone interested in becoming a member of the Grange should contact him directly.
- c. *Slow Down for Pedestrians and Bicyclists:* JScoggins urged residents and drivers to slow down for pedestrians, cyclists and pets when driving around town, especially at rush hour.
- d. *National Security Statement:* Schoerke read aloud a “national security statement” highlighting recent national and global security crises from 1996 forward (from the Cuban missile crises to current North Korean situation) and concluded by noting that there are two house bills currently in the legislature sponsored by Veterans for Peace which would prohibit the current President from beginning a preemptive war. Schoerke received a round of applause for his statement.

- e. *Vermont 350 Resolutions*: Sternberg reported that
- the Vermont 350 resolutions on the ballot work towards climate justice by urging the Town to support reducing/resisting use of fossil fuels and increasing renewable energy use, statewide as well as locally
 - over 180 residents signed the petition to place these resolutions on the ballot

Peacock spoke in support of the resolutions, noting that he, as a person who grew up in Shaftsbury and has been farming for 12 years, is in “the front line of climate change” in that

- recent crop failures (Brussel sprouts, broccoli, and raspberries) are due to “no longer predictable weather patterns” and increased use pesticides and herbicides
- the increase of ticks and tick borne diseases are also a part of climate change
- climate change is impacting outdoor tourism and food systems throughout the state.

Christian also spoke in favor of the Article 1 resolutions and asked residents “to take a stand for the environment” and support the 350 resolutions which are appearing as ballot articles all around the state, noting that “we are not making progress fast enough” in decreasing fossil fuel use and increasing renewable energy resources.

Dornhoefer reported that

- she moved to Shaftsbury recently because the climate in the New York state town in which she previously lived had been significantly and negatively impacted by a power plant built in 2015 which processed fracked gas brought in by pipeline from Pennsylvania
- chemicals and gases emitted from that plant and compressing units along the pipelines have been linked to autism
- a pipeline between Hinesburg and Middlebury, Vermont is now being built and we “should keep pipelines out of southern Vermont”.

Miller, who also moved recently to Shaftsbury, noted that

- she has a “personal and painful experience with this issue” with gas and chemical emissions that result in reduced crop production and health issues
- once the pipeline is extended to Middlebury, there is discussion about a 3rd phase which would further extend the pipeline to Rutland
- there are class actions suits fighting this and “its not too late” to have what happened in New York State and Hinesburg, where there are “tons of property for sale”, but “we have a chance to act now and to protect ourselves”.

Lavigne, noting that she has “worked with kids all her life” asked residents to think about what’s been said...to think about the kids” and concluded her statement by saying that “you can’t believe what corporations can and will do”.

Baker also noted that

- the 350 Article “doesn’t ask anyone personally to do anything. It’s all on the Town”
- and strongly insisted that individuals do have a personal responsibility to change energy habits: “Put up a clothesline.”

At 9:30pm, and after calling for but hearing no further comments, Daily reminded voters that the polls will be open at the Buck Hill Road Fire House 7am-7pm Tuesday March 6, 2018. A motion was made and seconded to adjourn the 2018 Town of Shaftsbury Annual Floor Meeting and, by voice vote, the motion carried unanimously.

Respectfully Submitted,
Richard G. Bump