

Town of Shaftsbury Select Board

January 2, 2024

In person at Cole Hall and remotely via Zoom

1. Call to Order

The meeting came to order at 6:30 p.m. Present were selectpersons Art Whitman (chair), Tony Krulikowski, Martha Cornwell, Mike Cichanowski, and Naomi Miller. Also present was town administrator David Kiernan.

2. Conflict of Interest Statement

No one reported a conflict of interest with any item on the agenda.

3. Minutes

Mr. Cichanowski moved to approve the December 4 minutes. Ms. Miller seconded the motion, which passed 5-0-0.

Mr. Cichanowski moved to approve the December 18 minutes. Ms. Miller seconded the motion. Ms. Miller noted that on page 2, the entire Select Board, not simply her, received a letter. The motion as amended passed 5-0-0.

4. Warrants

Check warrant #23 (voter-approved community appropriations), \$88,695.00. Mr. Krulikowski moved to approve the warrant. Ms. Cornwell seconded the motion, which passed 5-0-0.

Check warrant #24, \$38,160.94. Mr. Krulikowski moved to approve the warrant. Ms. Cornwell seconded the motion, which passed 5-0-0.

Payroll warrant #10, \$29,860.03. Mr. Krulikowski moved to approve the warrant. Mr. Cichanowski seconded the motion, which passed 5-0-0.

Payroll warrant #11, \$29,692.89. Mr. Krulikowski moved to approve the warrant. Ms. Miller seconded the motion, which passed 5-0-0.

5. Announcements

- Mr. Whitman noted that petitions of candidates for elected offices are due January 29, 2024
- Mr. Whitman noted that committee members are needed for:
 - Town Green Development Committee
 - Cole Hall Renovation Committee
 - Sewer Feasibility Study Committee
 - Economic Development Committee. Mr. Kiernan noted that full funding to hire BCRC to assist with the planning has been received.
 - Trustees of Public funds

He asked that letters of interest be submitted to the Select Board via Mr. Kiernan.

Mr. Kiernan noted that a bookkeeper is needed.

6. Public Comments

There were none.

7. Treasurers Report

Ms. Dexter explained the cash flow report. Cash balance as of December 31 was \$1,020,796. Both revenues and disbursements are pretty much on budget. In answer to a question, she said the reassessment funds are comfortably large.

8. Town Meeting Information Session -Proposed Change to Preceding Saturday – For inclusion on 2024 Town Meeting Warning for vote

Mr. Whitman said the board has learned that such a vote must be taken by Australian ballot (per the state's Attorney General's office). Ms. Miller moved to discuss presenting to the voters on the 2024 ballot a proposal that the informational town meeting in 2025 be moved to the preceding Saturday. Ms. Cornwell seconded the motion. It was noted that should the informational meeting be moved to Saturday, it would have to be held after sundown at 6:25 p.m. Mr. Whitman said he thought fewer people would come out on a Saturday night than would come out on a Monday evening. Ms. Cornwell noted that BCA members are encouraged to help, but that in all the years she has participated only she from the BCA has helped on the Monday before the balloting. BCA members do, however, routinely help on the Tuesday. Ms. Miller said she thought it best to allow the voters to decide whether the Saturday option should be chosen. Ms. Miller said she thought a Sunday late afternoon event might attract the most people. Mr. Kiernan noted that during Covid, the informational meeting was held via Zoom on a Sunday. Mr. Kiernan suggested asking the Town Clerk before voting on the motion. He said there would be time to table it to the next meeting. (Mr. Whitman noted that should a Sunday option be chosen, the motion would have to be amended.) Ms. Miller moved to table the discussion to the next meeting. Mr. Cichanowski seconded the motion, which passed 5-0-0.

9. Screening Ordinance for Solar Projects

Ms. Miller, also chair of the Planning Commission, introduced the ordinance, which is to become part of the Enhanced Energy Plan the Commission has been working on. She said the Commission learned that nothing about screening has standing before the Public Utility Commission (PUC) unless it is in an ordinance. She said the proposal is boilerplate in many ways, having been drawn from other towns' ordinances. It requires screening for all facilities functionally an acre in size or larger. Ms. Cornwell noted that in this case "screening" refers to plant materials and other features that would hide the solar development from view from off site. The ordinance also references the so-called Queechee test (a Vermont principle), in which the aesthetic preferences of an ordinary person are dispositive. The ordinance suggests the "ordinary person" is to be represented by a board of five individuals drawn from permanent Town boards and committees. The board would be convened only upon the filing of an application to the PUC. Ms. Cornwell noted that all solar proposals go before the PUC. The Town attorney reviewed and approved the language of the ordinance. Mr. Kiernan noted that the PUC must enforce the screening ordinance as a condition of the permit. Mr. Cichanowski wondered whether the panel should be given a deadline to make a finding regarding aesthetics. It was agreed that the phrase "the five-person panel shall render an opinion to the PUC on the adequacy of the proposed screening no later than ninety days of being convened by the Select Board" would be added to the proposed ordinance. Mr. Kiernan suggested that the revised document be presented at the next meeting and, if approved, the hearing process will be initiated.

10. DPW Report

The crew has been working on rained-on roads.

11. FY 2025 Budget

Mr. Kiernan said he inserted \$80K for the sheriff's contract. (It is the only change in the budget since he submitted the prior budget.) He said it can be amended from the floor if the citizens wish. He will know soon how many hours that will buy, as the sheriff is amending the office's rates, but he thinks it will come close to doubling the hours we get now (15/weekly).

January 18 is the deadline for approving the budget. We still need the treasurer's final projection of revenue. It looks like it the budget will come in at about a 5.2 % increase.

12. Other Business

Mr. Whitman introduced a proposed contract with Mr. Kiernan, for 160 hours with no benefits, beginning the first week of March. Mr. Kiernan said it appears his replacement will not have been hired until mid-March at the earliest and that such coverage will therefore be needed. Ms. Miller moved to enter into the contract. Ms. Cornwell seconded the motion, which passed 5-0-0.

Liaison assignments: Mr. Kiernan shared a list of staff persons and other people with whom members of the Select Board and others should be in frequent contact in the absence of a town administrator.

Exit plan: Mr. Kiernan will ask Mr. Yannotti to code the DPW invoices. Someone from the board must be appointed to organize Town Meeting, including setting up with the school and CAT TV. Mr. Krulikowski volunteered. (Ms. Cornwell noted that he should ask Sue Green to borrow her amplification system.) People will need to take charge of Mr. Kiernan's many passwords. A number of committees will have to be maintained. The sewer feasibility committee needs a SB contact (Mr. Cichanowski volunteered). ARPA has to be closely monitored, but all funds have already been committed. Ms. Cornwell volunteered. The Grandview sidewalk study engineers will need a contact (Ms. Miller volunteered). A contact is needed for the PUC and town counsel. (Mr. Whitman volunteered.) Ms. Cornwell will take over health insurance issues. Mr. Kiernan said another meeting will be needed, probably next week, and then again on Tuesday, January 16 (the 15th is Martin Luther King Day). Mr. Whitman noted that information regarding the host town agreement is needed before Town Meeting. Mr. Kiernan said his last physical day here will be Tuesday January 23, until he returns part-time March 4. Mr. Whitman will be away all of February. Mr. Krulikowski will be away February 14-18. The ZA will be in charge of securing Zoom meetings and posting and sharing all agendas. CAT will be in charge of arranging for Zoom for Town Meeting. Ms. Cornwell said Karen Mellinger has in the past helped enormously with the Town Meeting pot luck. Board members discussed the logistics of taking over from Mr. Kiernan. Ms. Miller said she hoped to submit a Planning Commission recommendation as to a new board member to the Select Board at the January 16 meeting.

Mr. Whitman noted that two organizations have not submitted a timely request for a community appropriation, even after receiving three notices from Mr. Kiernan. He wondered whether they should be taken off the list. Once the budget has been voted on by the Select Board they cannot be placed on the community appropriations list.

13. Review of Action Items

Mr. Kiernan will check with VLCT and with the Town Clerk regarding a Sunday town meeting. Ms. Miller will make edits to the proposed screening ordinance and send it to Mr. Kiernan.

14. Executive Session – Personnel -Real Estate

Ms. Cornwell moved to enter executive session for personnel and real estate. Mr. Krulikowski seconded the motion, which passed 5-0-0.

15. Adjournment