

Town of Shaftsbury Select Board

Monday, November 20, 2023

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 select persons Art Whitman (chair), Mike Cichanowski, Naomi Miller, Martha Cornwell, and Tony Krulikowski. Also present was town administrator David Kiernan.

2. Conflict of Interest Statement

No conflicts were reported.

3. Minutes

There were no minutes.

4. Warrants

Check warrant #16, \$60,231.67. Mr. Krulikowski moved to approve the warrant. Ms. Miller seconded the motion, which passed 5-0-0.

5. Announcements

Ms. Cornwell announced the Town and Norshaft Lions are putting on a Polar Express reading on December 3 at 4 p.m. at Cole Hall. A special visitor is expected.

6. Public Comments

There were none.

7. Treasurers Report

Melanie Dexter reported on the cash flow. Taxes were due November 10. It appears that delinquent taxes are similar in amount to those of years past.

Refunds for overpayments will be reflected in a warrant to be presented after Thanksgiving.

Water payments are coming in briskly. They are due the first week of December.

Ms. Dexter said she issued in error three duplicate tax refund checks in 2022. The error was discovered by the auditors. She was advised by the auditors in one case to discount a refund owed in 2023 by the amount of the duplicate paid in 2022. Those taxpayers prefer that, rather than discount the 2023 refund, the duplicate refund in 2022 be treated as a normal delinquency and the 2023 refund be issued. She asked the Select Board to enter into a contract with those taxpayers to that end. This would be a one-time event. Mr. Cichanowski moved that the Select Board enter into a contract with the delinquent taxpayers to pay the 2022 delinquent taxes. Mr. Krulikowski seconded the motion, which passed 5-0-0.

Ms. Cornwell moved to sign a warrant for issuance of a check for \$1920.35, pending receipt of an agreement regarding delinquent taxes signed by all parties. Mr. Krulikowski seconded the motion, which passed 5-0-0.

8. Fire Department Truck Bid Report

Chief Joe Vadakin reminded the board that only bid was received. Mr. Vadakin was instructed at that time to find out why it was as high as it was (almost twice the cost of the

previous but smaller truck). He learned that prices are not going to go down again, ever. Going through the specs, he found about twenty items that need correction.

The FD proposes to buy the chassis on its own, a 2025 model. A performance bond of \$7K included in the original quote is therefore not necessary, as the chassis will be purchased out right.

An \$18,000 fee for emissions controls will not be necessary as long as the chassis is purchased before that federal mandate on controls kicks in.

\$10,506 will be saved on interest on the purchase of the chassis.

Mr. Vadakin said that over the next three years, contributions to the sinking fund and payments authorized by the taxpayers will result in a fund balance sufficient to cover the costs of the truck.

The chassis must be ordered by December 6 in order to hold the quote on the chassis. The body must be ordered by January 5, but Chief Vadakin suggests committing entirely by December 6.

Mr. Kiernan noted that the extended delivery times have upset a number of future funding plans for vehicles to be purchased in 2030 and 2033.

Mr. Cichanowski moved to accept the bid from Shakerlee Truck Sales of Round Lake, NY for \$669,979.14. Mr. Krulikowski seconded the motion, which passed 5-0-0.

Chief Vadakin reported the department is down to eighteen volunteers, down from thirty-two under the previous chief.

9. DPW Report

Oliver Wadsworth and Kurt Jackson reported on a flooding issue on their property at 99 Cold Spring Road. When they purchased the property in 2016, as a condition of purchase, the drainage system was improved. It continued to function to keep water off their front lawn until April 2022, when the Town replaced the culvert under Cold Spring Road. The new culvert is significantly lower than the previous one, and flooding has returned to their front yard as a result. A second culvert was also installed in April 2022 to drain the wetland, but it was set at a higher elevation, despite promised otherwise from the DPW foreman. Mr. Wadsworth said the changes made by the Town obviated the drainage revisions made in 2016.

DPW foreman Mike Yannotti described the culvert replacement process. A 12-inch pipe that had been installed earlier had collapsed and a wetland across the road was spreading across the road. The higher culvert keeps silting in, and water does not make it downhill to the lower pipe. He said the 8-inch pipe installed on the Wadsworth/Jackson property is too small to carry water 300'; it continually silts in. A lengthy discussion ensued. Mr. Yannotti suggested diverting some of the water in another direction by ditching. The culvert could also be cleaned out annually. Mr. Yannotti said state wetland law permits that activity, despite a call made to DPW by a wetland scientist claiming otherwise. Mr. Yannotti said he ditch couldn't be stoned as the substrate is muck. Mr. Wadsworth and Mr. Jackson were satisfied with a plan put forward by Mr. Yannotti to ditch the site this week.

Mr. Yannotti said plows are all mounted on the trucks and servicing on equipment is complete.

He said he thinks marking Buck Hill will be postponed until spring as it has gotten too cold for the task. He'd like to add some stone to some of the ditches there.

9. Community Appropriations Policy

Mr. Whitman introduced the issue, saying he hopes to gain some greater control over the process. He also suggested separating out the libraries and negotiating line-item budgets

with them. Mr. Kiernan said he thought FY 2025 would be too early to revise the library budgets. Mr. Cichanowski moved to transfer the libraries to line-items in the budget for FY 2026. Mr. Krulikowski seconded the motion. The motion passed 5-0-0.

Mr. Kiernan said VLCT policy suggests that increases in appropriations must be petitioned. If the organization proposes no change to the appropriation, a simple request to be included in community appropriations could suffice. He recommended that Shaftsbury adopt such a policy. Mr. Cichanowski moved to adopt this policy effective immediately. Ms. Miller seconded the motion. A discussion was held as to whether a time limit might be placed on how long an organization can receive community appropriations. The motion passed 5-0-0. Selectpersons signed the policy document.

10. Vermont 250th Anniversary Commission (Anniversary of Declaration of Independence)

Mr. Kiernan said the State of Vermont is hoping that volunteers from each community will become involved in organizing a celebration of the event over a three-year period. On Mr. Krulikowski's suggestion, it was agreed that Mr. Kernan would reach out to the Historical Society to see if they would be interested.

11. Errors and Omissions Report Approval – Assessors Office

A \$60,700 tax bill was received in error by the Town for the property adjacent to the Cole Hall parcel. The property should have been taken off the tax rolls when purchased by the Town. Mr. Krulikowski moved to accept the Errors and Omissions report. Mr. Cichanowski seconded the motion, which passed 5-0-0.

12. Other Business

Mr. Cichanowski asked on Greg's Squires behalf about reimbursement for steel-toed boots. (Mr. Squires works at the transfer station.) Mr. Kiernan will follow up with him.

13. Review of Action Items

- Send the anniversary celebration announcement to the Historical Society.
- Sign a contract for the fire truck.
- Take care of boots for Mr. Squires.
- Board members can singly check out the Cold Spring Road culvert project, now or in the spring.
- Send out reminders to those seeking community appropriations.

15. Executive session

Mr. Cichanowski moved to enter executive session to discuss the following issues at 7:54 p.m. Ms. Miller seconded the motion, which passed 5-0-0.

- Personnel
- Real Estate Purchase
- Legal Contract

16. Adjournment