

Shaftsbury Select Board  
Monday March 19, 2018

- 1) Call to order  
Town Administrator David Kiernan called the meeting to order at 6:30 p.m. Present were Board members Ken Harrington, Tony Krulikowski, Tim Scoggins, and Joe Barber.
- 2) Election of Chair  
Mr. Harrington nominated Tim Scoggins to be chair of the Select Board. Mr. Krulikowski seconded the motion, which passed 4-0-0. Mr. Scoggins took charge of the meeting.
- 3) Adoption of Select Board rules of procedure  
Mr. Krulikowski moved to approve the rules of procedures as circulated. Mr. Krulikowski seconded the motion. Mr. Scoggins moved to strike the requirement that the notice of the meeting schedule be published in a newspaper of general circulation and replace that with one that the schedule shall be made available to the public. Mr. Harrington seconded the motion, which passed 4-0-0. Mr. Kiernan noted that the document circulated included that amendment. The rules and procedures as amended was adopted 4-0-0.  
Without objection, the chair moved the Treasurer's report to item 9 on the agenda.
- 4) Conflict of Interest Statement  
No one reported a conflict of interest.
- 5) Approval of Minutes  
Mr. Krulikowski moved to approve the Feb. 26, 2018 minutes. Mr. Barber seconded the motion, which passed 4-0-0. Mr. Krulikowski moved to approve the Feb. 19, 2018 minutes. Mr. Harrington seconded the motion, which passed 3-0-1, with Mr. Harrington abstaining. Mr. Krulikowski moved to approve the minutes for town meeting. Mr. Barber seconded the motion. [REDACTED] made some typographical corrections. The motion passed 3-0-1, with Mr. Barber abstaining. Mr. Krulikowski moved to approve the minutes for March 9, 2018 (the special meeting to open the garage bids). Mr. Harrington seconded the motion. Mr. Scoggins asked to amend the minutes to include mention of board members attending (Krulikowski, Harrington, and Scoggins.) The minutes as amended passed 3-0-1, with Mr. Barber abstaining.
- 6) Warrants  
Check warrant # 30, \$28,670.87. Mr. Krulikowski moved to approve the warrant. Mr. Harrington seconded the motion, which passed 4-0-0.
- 7) Announcements  
There were none.
- 8) Public comments  
Mr. Ed Corey spoke. He read a letter from the Town zoning administrator re possible violations: a failure to apply for a permit for a shed, and for the selling of equipment. Mr. Corey said he is not the property owner (it changed hands in June 2017). Mr. Kiernan said the matter had been resolved that day when an application for a permit had been submitted by the landowner. Lake
- 9) Treasurer's report
  - a) Sullivan and Powers Annual Audit Renewal  
[REDACTED] a three-year contract with them. She said their work is unimpeachable. Mr. Krulikowski moved to enter into a three year contract with Sullivan and Powers. Mr. Harrington seconded the motion, which passed 4-0-0. Ms. Dexter reported that expenditures are slightly behind but very similar to last year. The board reviewed the March to date report.
- 10) Paran Village – Shires Housing, VCDP Grant Application

Stephanie Lane presented on a proposed development off Paran Rd. near Paran Acres. She described Shires Housing and some of the housing they provide. She asked for Select Board permission to apply for a VT Community Development Program grant (which uses CDBG funds). These funds are available to all who wish to apply for them, but non-profit housing organizations with experience in the field usually rank higher than private sector applicants. The Town would be technically the applicant, but would incur no additional costs.

She described the project, a 22-unit, mixed income, work force housing development with \$550-\$1098 monthly rents (assigned according to income limits).

The new site plan shows an entrance on Paran Rd. (not McCarthy Rd.), with 3 buildings, fewer parking spots (1.5/unit), a well in the center of the parcel on conserved land (rather than N. Bennington water). The project has received approval from the town of Bennington for municipal sewer service.

She displayed elevation views of the proposed buildings. She shared photographs of other Shires Housing projects in the area.

Mr. Chris Williams, in the audience, is a member of the board of Shires Housing. He spoke glowingly of the work done by the organization in recent years.

Mr. Harrington noted that in effect, the Town would be subsidizing Shires at the expense of other landlords.

Tom Fields, in the audience, president of Paran Acres Homeowners Association, said that traffic is a concern for the neighbors, and noted that Paran Road has needed re-engineering for many years. He said between 75 homes in the development, and deliveries of many kinds, the traffic on Paran Rd. is already high and destructive. The neighbors are concerned about the quality of the road, and said the ideal solution would be paving Paran Rd. He congratulated the road crew on the work they've been able to do on the road.

Mr. Scoggins presented a summary of some of the benefits to the Town of the proposed project, including adding \$6 million to the grand list. He said the school districts could easily absorb the proposed 6 additional students the project would generate. He noted that Shires Housing is willing to seek funding for a road engineering study. (He shared cost estimates of various treatments of Paran Road.) The additional \$23,000 in tax revenues per year could help address Paran Rd. concerns.

Ms. Lane said Shires hope to ultimately secure municipal water.

Ms. Lane said a contact at VCDP can help the town work through the grant process. Mr. Krulikowski moved to allow Shires Housing to apply for a VCDP grant through the Town of Shaftsbury. Mr. Scoggins seconded the motion. Mr. Harrington asked to put the vote off until all the board members are present. Mr. Scoggins reported that Mr. Whitman told him "he would not be on the ballot" and that would not work because Ms. Lane needs this reassurance by March 26. The vote on the motion was 2-1-1, with Mr. Harrington voting no and Mr. Barber abstaining. The next opportunity for Shires will occur in the fall of 2018. Mr. Krulikowski pointed out that this funding application is one small piece of a much larger process, including public hearings. Mr. Barber moved to reconsider the motion to allow Shires Housing to apply for a VCDP grant through the Town of Shaftsbury. Mr. Krulikowski seconded the motion. Mr. Harrington asked how many opportunities there will be for other landlords to review. The response: the VCDP, Shaftsbury DRB, Act 250, among others. Mr. Barber said there is a stigma about housing developments. Ms. Lane said these will be units that are regulated, maintained, invested in on an annual basis. Mr. Harrington expressed a concern regarding competition with private landowners. Mr. Krulikowski said there are very few vacancies out there. The vote on the reconsidered motion was 4-0-0.

11) Town Garage Bid Award

Three bids were made: VMS, \$1.4 million +; Russell, \$1,318,970.00; Wright: \$1.2 million. On review, the low bid included qualifications, which were prohibited in the bid document, and could raise the bid to more than the Russell bid. The engineers suggested to view the low bid as "unresponsive." The low bid is about \$40,000 under what's budgeted, the high bid about \$40,000 over. The engineers recommend the town accept the Russell bid, the lowest responsive, responsible bid. Mr. Barber moved to accept the bid from Russell Construction. Mr. Krulikowski seconded the motion. Mr. Harrington asked about the qualifiers from Wright, which included concrete, well, material, and gravel allowances. The motion passed 4-0-0.

12) Cole Hall Update

Mr. Kiernan reported having a conversation with contractors about building an interior frame in the upstairs to create offices and a storage room. We will get underway as soon as the state issues the necessary permits, perhaps including fire alarms, though the plan is to have some sort of alarm no matter what Fire Safety requires.

13) Select Board liaison appointments

~~Mr. Kiernan~~ Harrington moved to adopt the appointment list as edited. Mr. Barber seconded the motion, which passed 4-0-0.

14) Appointments

As required, appointment announcements were made, twice. Mr. Krulikowski moved to reappoint Tom Huncharek and Chris Ponessi to three year terms on the DRB, Chris Williams for a term of 2017-2020 on the Planning Commission, animal control Tracy Mulligan, BCRC Ken Harrington, energy coordinator Ben Hulett; health officer Jackie Myers; deputy health officer Tracy Mulligan; town service officer Jackie Myers; tree warden Jim White. Mr. Harrington seconded the motion, which passed 4-0-0.

Mr. Scoggins reminded the public that positions are open on the DRB and the Planning Commission.

15) Adoption of Meeting Schedule

No changes are recommended to the existing schedules; Mr. Krulikowski moved to approve the meeting schedule as posted. Mr. Harrington seconded the motion, which passed 4-0-0.

16) Municipal Highway Grants

The town applied to finish East Rd. to the Bennington border, and to replace the culvert in Shaftsbury Hollow. Mr. Kiernan has been told that the culvert cannot be fully funded this year. The board needs to adopt the certification of compliance with town road and bridge standards and network inventory, and the annual financial plan for town highways. Mr. Krulikowski moved to adopt the certification of compliance. Mr. Harrington seconded the motion, which passed 4-0-0. Mr. Krulikowski moved to approve the annual financial plan as described. Mr. Harrington seconded the motion, which passed 4-0-0.

17) Roadside Mowing Bids

Mr. Kiernan said he seeks permission to put out a request for bids for routine mowing, which has to be done by contractors as the road crew cannot manage it. The proposed contract deals with only mowing, two passes (as has been the case in the last five years), not brush-cutting further into the right of way. (Rules regarding mowing and tree removal in the right of way are changing at the state level. And heavy brush cutting is financially unfeasible now.) How to deal with woody material in the right of way needs to be fully thought out and dealt with, as a team, later. The board agreed to allow Mr. Kiernan to proceed with seeking the mowing bids.

18) All Fuels Bid

Mr. Kiernan would prefer not to seek bids this year, in part because the garage will be moving and fuel types will be changing. Meanwhile, Mr. Kiernan would like to stay with GA Bove, which

has been a dependable partner. Mr. Krulikowski moved to continue with GA Bove to provide fuels. Mr. Harrington seconded the motion, which passed 4-0-0.

19) Other Business

~~CONFIDENTIAL~~

The board discussed

how this could be effected. Perhaps subdivision regulations can incorporate road design standards. This will be researched.

20) Review of Action Items

Mr. Scoggins will put amended rules and procedures on website.

Mr. Scoggins will send liaison list to Mr. Kiernan.

Mr. Kiernan, Mr. Scoggins, and Mr. Harrington will look into road specifications and taking over private roads.

Mr. Kiernan will work with Shires on the VCDP application.

21) Adjournment

Mr. Krulikowski moved to adjourn at about 8:50 p.m. Mr. Harrington seconded the motion, which passed 4-0-0.