



**Town of Sharon  
Selectboard Meeting**

**March 18<sup>th</sup>, 2024 FINAL**

Attending In Person: Nicola Shipman, Selectboard Assistant; Kevin Gish, Chair; Scott Henkels, Vice Chair; Deb Jones, Treasurer; Stephen Butterworth, Resident; Nina Butterworth, Resident

Attending via Zoom: Sarah Pfeiffer, Clerk; Frank Rogers, Road Foreman; Lucy Pierpont, Finance Manager

**1. TH-46 and TH-47 Public Hearing [20]**

Kevin Gish called the hearing to order at 6:30PM

Kevin Gish established that Town Highway 47, known locally as Butterworth Road, is a 0.05-mile section of Class 3 road in the Town of Sharon. Town Highway 47 intersects with Town Highway 19 (Downer Road) 0.24 miles from the intersection of TH-19 and TH-16 (Krivak Road) and travels 0.05 miles in a north-easterly direction. The Selectboard has initiated the proceedings due to highway safety concerns pursuant to 19 V.S.A. §708(a).

Kevin Gish noted there are various outcomes for this section of Town Highway which could include leaving it as a Class 3, allowing for a discontinuance, or even considering a reclassification. If the Selectboard would wish to explore a reclassification, such as to a Class 4 or Legal Trail, this would require a separate process and additional proceedings.

Kevin Gish invited abutters Stephen Butterworth and Nina Butterworth to provide their testimony related to the proposed discontinuance of TH-47.

Nina Butterworth suggested that she does not feel a discontinuance would make the intersection of TH-47 and TH-16 any safer for her. She said that she has not experienced any near collisions when pulling out onto Downer Road.

Kevin Gish read aloud a written statement provided by Stephen Butterworth.

Scott Henkels asked what would be more important to the Butterworths in this matter? Would they prefer to allow the Town to conduct maintenance of the Town Highway, so there is an appropriate turnaround, for example? Or, alternatively, would they instead prefer to see the road remain in its current condition and instead see the road discontinued or even reclassified?

Nina Butterworth said she feels that the road condition is fine as it is, and she feels the road does not require a lot of attention from the Town. Nina said she sees a benefit from the sanding and plowing provided by the Town, but that she does not wish to lose plantings, for example, which are currently within the Town's ROW.

As a point of clarification, Stephen noted that they hire out a contractor to plow the level section of the property beyond the Town Highway, so in addition to that, they would need to hire additional plowing for the section that is currently plowed by the Town.

Nina feels there is a mountain of snow at the bottom of the driveway which is a danger. Additionally, she feels that the E911 sign is also in an inappropriate location and often is knocked down by the snow pile.

Kevin Gish asked for clarification regarding the letter provided by Stephen Butterworth asking that the road stay as it is. Stephen said he is disappointed the letter is not as clear as he had hoped, but he intended to express that he feels the changes that would be necessary to bring the section of road back to Class 3 standard are not acceptable in his mind. Stephen said his understanding that the road needs to be able to be graded, the road would need to be ditched, and widened. Stephen feels this is arbitrary, and he thinks it would be a waste of resources to make those changes.

Stephen said the Road Foreman suggestion for how to create a sufficient turnaround for a grader around would require something like terraforming. Stephen feels that would be a “boondoggle,” and it is not a prudent use of resources.

Stephen further clarified that he does not wish the Town to make the changes that the Selectboard has indicated would be required to bring TH-47 up to Class 3 standard.

Scott Henkels asked if the Butterworths want the structure of the road to remain as it is currently.

Both Nina and Stephen agreed they do not wish the road to be widened, for example, nor do they do not wish to create a turnaround beyond what is already available on the property in front of the barn. The Butterworths stated their preference is that the road would stay in its present condition rather than allowing the Town to bring the road up to Class 3 standards.

Kevin Gish asked if, given the Butterworth’s desire to allow the condition of the road to remain the same, do they wish for the road to remain a Class 3?

Stephen Butterworth indicated the point he intended to convey is that he does not wish the Town to make the physical changes to the road that would allow the Highway trucks to turn around nor do they wish the Town to clear the ROW, particularly if it means making changes to the property. He feels the classification of the road is something that is not as meaningful to him as the ability to leave the road in its current condition.

Stephen said that it sounds as though the road would need to be wide enough to accommodate two vehicles to be Class 3 standard. Kevin Gish confirmed that is the standard for a Class 3 highway.

Stephen Butterworth noted that the west shoulder of the road has slumped into the side of the ditch, and there could be a benefit to having the Town maintain ditches, but that he would not wish for much more than that.

Nicola Shipman noted that a Class 4 road would fall under the Town's responsibility for ditching, but the Town would not be required to plow the road, in accordance with the Class 4 maintenance policy.

Given there was no further testimony, Kevin Gish expressed the need to move on to testimony related to TH-46.

Stephen Butterworth and Nina Butterworth exited at 7:08PM

Kevin Gish noted that at this time, TH-46 a Class 4 section of town highway and is under consideration for discontinuance pursuant to 19 V.S.A. § 771 due to action initiated after the Selectboard received a request from the current property owner.

Kevin Gish noted that the maps of TH-46 seem to indicate that the road does not connect to any other municipal highways or legal trails and is a short section of road that dead ends on private property.

Nicola Shipman noted that the landowner's concern expressed in writing is that there has been vandalism of a cabin located on the property which is accessible via TH-46. The property owner had hoped to gate the road, but he is not able to legally restrict access as TH-46 is a public highway. He asked the Town to consider a discontinuance.

No members of the public were present and therefore no testimony was received from the public nor were any objections to the discontinuance raised.

**At 7:12PM. Kevin Gish made a motion to adjourn the hearings for Town Highways 46 and 47 at until 6:30PM on April 1<sup>st</sup>, 2024 to allow for time to review additional information about these two roads and to receive additional testimony. Sarah Pfeiffer seconded. Motion approved unanimously.**

## **2. Selectboard Regular Business**

Kevin Gish called the regular meeting to order at 7:13PM.

## **3. Review/Approve Agenda**

**Sarah Pfeiffer made a motion to approve the agenda. Scott Henkels seconded. Motion approved unanimously.**

## **4. Public Comments**

No public comments.

## **5. Selectboard Member Reports**

Kevin Gish reported that he attended the Ashley Community Forest Board meeting and noted that the ACF Board has approved a ten-year stewardship plan.

Kevin said he also attended a Community Trust online seminar hosted by VCRD, and he shared some information about upcoming initiatives to provide technical support to small, rural communities, with populations of 2,500 or less, interested in forming a Community Trust to support local revitalization projects.

## **6. Finance Manager Reports**

Lucy Pierpont provided a brief review of the February Budget-to-Actuals for 2024. Lucy highlighted that she and Deb Jones had reallocated interest income generated from the interfund into the appropriate funds using a proportion to calculate how much interest to assign to each fund. Deb Jones further explained the process, noting this step was recommended by the Town's auditor, and the Town has systems for managing unanticipated interest revenue. The interest generated has been higher due to favorable interest rates on the Town's interest-bearing accounts.

Otherwise, Lucy noted the General Fund is tracking as expected. The Highway Fund is tracking a little higher due to truck expenses, though fuel is tracking lower.

Lucy also noted that the Town received loan documents from Community Bank NA today, March 18<sup>th</sup>, that she was hoping the board could sign so that the Town can move forward finalizing the financing for the replacement loader.

**Kevin Gish made a motion to authorize signature of the highway equipment note with Community Bank NA for a total of \$120,000 at a 5.46% interest rate over 5 years calculated on the basis of an actual 365-day year from the date of original delivery of this note, in equal semi-annual installments of \$12,000 each, commencing September 20, 2024, and continuing on March 20th and September 20th of each year through March 20, 2029. Scott Henkels seconded. Motion approved unanimously.**

## **7. Road Foreman Reports**

Kevin Gish opened the floor to Road Foreman, Frank Rogers. Frank said overall roads are getting into better shape. Frank reminded the Selectboard that the seasonal crew member will be at the end of April to return to his other. Scott Henkels asked if when trying to hire for the position, would it be worth hiring as a seasonal summer temporary position? Frank said it would be better to start looking for a full-time employee to hire for a vacancy in the Road Crew.

Deb Jones suggested that if the wording of the ad is different than the job description, then it would be worth making sure that the job description and the ad align.

## **8. Selectboard Assistant Reports**

Nicola Shipman did not have significant reports to provide other than a brief update of conversations happening around Municipal Buildings, specifically what to do once the MERP Energy Assessment reports come through.

## 9. Minutes

**Kevin Gish made a motion to accept the minutes from March 6th, 2024 with minor changes. Scott Henkels seconded. Motion approved unanimously.**

## 10. Warrants

**Scott Henkels made motion to approve AP Warrant 1628 in the amount of \$11,829.76 with payments to Aubuchon Hardware \$8.54, Blue Cross Blue Shield \$7,038.67, Chase Site Services \$1,632, Evans Motor Fuels \$1,531.1, Fastenal Company \$44.12, Foley Services \$124.90, Fuss and O'Neil \$1,449.16, Haun Welding \$1.25. Sarah Pfeiffer seconded.**

**Kevin Gish made a motion to approve AP Warrant 1629 in the amount of \$12,256.50 Lionel Fray \$207.65, Magee office products \$48.18, Mary Victor \$64.61, R.C. Brayshaw \$1,113, Royal Auto Parts \$16.17, Tarrant, Gillies, and Shems \$4,148.40, Tasco Security \$516.00, Twin State sand and gravel \$633.6, Viking Cives \$136.33, Windsor County Sheriffs \$5,373.00. Scott Henkels seconded. Motion approved unanimously.**

**Sarah Pfeiffer made a motion to ratify payment from the HRA fund for the period 2/1/24 – 2/29/24 in the amount of \$1,471.30. Kevin Gish seconded. Motion approved unanimously.**

**Scott Henkels made a motion to ratify payroll for the period 2/25/24-3/9/24 with a cash draw of \$18,802.11. Saah Pfeiffer seconded. Motion approved unanimously.**

## 11. Sand Bids

**Scott Henkels made a motion to purchase 2,800 yards of winter sand from D & D at a rate of \$11/yard, as well as 1,500 tons of 3/4" stone from Pike at a rate of \$9.50/ton and 5,000 tons of 3/8" stone from Pike at a rate of \$10.75/ ton.**

## 12. Assistant Finance Manager Appointment

**Sarah Pfeiffer made a motion to appoint Deb Jones to the position of Assistant Finance Manager effective March 19<sup>th</sup>, 2024 with a rate of pay of \$27.30 per hour. Scott Henkels seconded. Motion approved unanimously.**

## 13. Unassigned Funds Recommendations

Deb Jones explained there are currently unassigned funds in the general fund resulting from the resolution allowing for the allocation of ARPA funds into the General Fund and Highway Fund for employee retention.

Based on recommendations from the auditor and VLCT, Deb is also recommending that the Selectboard move to designate unassigned funds as assigned funds to create a clear intention for how funds might be used in the future. Deb also noted that while an assigned category is a signal that these monies have a purpose, there is some flexibility to change how this funding is assigned in future if the Selectboard should desire to use it for another purpose.

Additionally, Deb noted that once assigned funds are spent, the Selectboard will need to make a motion to apply those identified expenditures to the assigned fund balance amount (thus reducing the amount of assignment).

**Kevin Gish made a motion to assign \$170,239 of anticipated unassigned general fund balance, as a result of ARPA funding applied during the year, for the purpose of Town building improvements and repairs. Scott Henkels seconded. Motion approved unanimously.**

**Scott Henkels made a to assign \$42,500 of anticipated unassigned general fund balance, as a result of ARPA funding applied during the year, for the purpose of Sharon community projects in the areas of community health, access to the White River, community space creation, and support for the arts. Sarah Pfeiffer seconded. Motion approved unanimously.**

**Kevin Gish to assign \$70,826 of anticipated unassigned highway fund balance, as a result of ARPA funding applied during the year, for the purpose of highway building improvements and repairs. Scott Henkels seconded. Motion approved unanimously.**

**Scott Henkels made a motion to assign \$71,000 of anticipated unassigned highway fund balance, as a result of ARPA funding applied during the year, for the purpose of highway infrastructure expenses not met by grant revenue. Kevin Gish seconded. Motion approved unanimously.**

#### **14. 2024 Appointments**

**Kevin Gish made a motion to make the following appointments:**

##### **Animal Control Officer**

Jim Armbruster for a 1-year term through 2025

##### **Ashley Community Forest Board Sharon Representative**

Erik Skarsten for a 3-year term through 2027

##### **E911 Coordinator**

Galen Mudgett, Jr. for a 1-year term through 2025

##### **Emergency Management Co-Coordiators**

Becky Owens and Keith Lyman, Jr. for a 1-year term through 2025

##### **Emergency Management Director**

Nathan Potter for a 1-year term through 2025

##### **Energy Committee**

Dee Gish, Ryan Haac and Jill Wilcox for a 1-year term through 2025

##### **Liaison to Regional Energy Coordinator**

Ryan Haac for a 1-year term through 2025

**Recreation Committee**

Samantha Potter and Tiffany Clark for a 1-year term through 2025

**Regional Emergency Management Committee**

Keith Lyman, Jr. for a 1-year term through 2025 (second member; EMD serves by default)

**Tree Warden**

Vince Gross for a 1-year term through 2025

**Two Rivers ORC Board Representative**

Ira Clark for a 1-year term through 2025

**TRORC Transportation Advisory Committee**

Nicola Shipman for a 1-year term through 2025

**Sarah Pfeiffer seconded. Motion approved unanimously,**

**Sarah Pfeiffer made a motion to appoint Rebeckah Bakos-Kalgren to the Baxter Memorial Library Board of Trustees to fill a vacancy for a term ending in March 2025 or until an election is held. Scott Henkels seconded. Motion approved unanimously.**

**Kevin Gish made a motion to set the term length for the Planning Commission/DRB to a three-year term. Sarah Pfeiffer seconded. Motion approved unanimously.**

**Deb Jones exited at 8:22PM**

**15. VTrans Paving Grant Application**

**Scott Henkels made a motion to authorize Frank Rogers and Nicola Shipman to submit a VTrans Paving Grant application on behalf of the Town of Sharon. Sarah Pfeiffer seconded. Motion approved unanimously.**

**16. Authorization of DPS Agreement for Public Assistance Funding**

**Scott Henkels made a motion to sign Grant Agreement #02140-84720-131 with the State of Vermont Department of Public Services for all projects deemed eligible for funding under FEMA Public Assistance Grant Funding. Sarah Pfeiffer seconded. Motion approved unanimously.**

**17. Financial Report Form**

**Scott Henkels made a motion to sign Inv #84720-131-RPT1 Financial Report Form requesting \$49,950.55 of funding for highway repair projects PW-00047(0) and PW-00109(0). Sarah Pfeiffer seconded. Motion approved unanimously.**

**18. Authorization of State of Vermont Grant Agreement for Emergency Relief Funding**

**Kevin Gish made a motion to sign Grant Agreement #ER0165 with a total award of \$117,483.09 for Route 132 highway repair projects related to the July 2023 flood damage.**

**19. Adopt Mud Season Weight Limits State Limits**

Kevin Gish made a motion to adopt the State of Vermont Weight Limits during the periods November 15<sup>th</sup> – December 31<sup>st</sup> and January 1<sup>st</sup> – May 15<sup>th</sup> inclusive, in each year, or until adoption and announcement of any modifications of said rules. Sarah Pfeiffer seconded. Motion approved unanimously.

**20. MRGP Annual Report Form 2024**

Scott Henkels made a motion to authorize signing of the 2024 MRGP Report form as presented. Sarah Pfeiffer seconded. Motion approved unanimously.

**21. 2024 Draft Personnel Policy: Second Review**

Tabled until to April 1<sup>st</sup> Meeting

**22. Upcoming Meeting Dates/Topics**

Nicola Shipman shared the Selectboard Goals that were set for 2023 and noted that the Selectboard may wish to review the goals in the next couple of weeks and consider what goals they might like to address in 2024 at a meeting in April.

Scott Henkels asked what policies the Selectboard might consider prioritizing. Nicola Shipman and Frank Rogers identified the Highway Policy as one that will require updating as it is outdated and was last reviewed in 2001. Additionally, the Selectboard is often called upon to oversee business related to Town Highways.

**23. Other Business**

No other business

**24. Adjourn**

Sarah Pfeiffer made a motion to adjourn at 8:47PM. Sarah Pfeiffer seconded. Motion approved unanimously.

Respectfully submitted,  
Nicola Shipman