

**MINUTES OF THE SHAFTSBURY SELECT BOARD  
JANUARY 2, 2006, COLE HALL, SHAFTSBURY, VERMONT**

**Board Present:** Wynne Metcalfe, Chairman, Cinda Morse, Karen Mellinger, Skip Fagerholm, Jim Mead

**Others Present:** Audrey Rutheiser, Harvey Rutheiser, Michael Bidy, Trevor Mance, Marybeth Mcquire, Aaron Chrostowsky, Susan Swasta

**1. Call Meeting to Order:**

Chairman Wynne Metcalfe called the meeting to order at 7:02 PM. He wished Shaftsbury residents a happy new year.

**2. Minutes:**

December 19, 2005 Minutes:

**Cinda Morse made motion to approve minutes. Karen Mellinger seconded.**

Ms. Mellinger noted some missing names and an incorrect name. Aaron Chrostowsky stated that corrections had been made.

**The motion to approve minutes carried 5-0-0.**

**3. Warrants:**

The following warrants were presented for approval:

• General Warrant –	\$ 128,002.88	(includes truck purchase)
• Water Board Warrant –	\$ 578.00	
• PR#24 –	\$ 6,773.05	Payroll Warrant
• AP#28 –	\$ 44,261.00	(appropriations payments)

**Ms. Morse made motion to pay the warrants. Skip Fagerholm seconded. The motion to pay warrants carried 5-0-0.**

**4. Town Administrator's Report:**

Town Administrator Aaron Chrostowsky reported that bid solicitations for the Myers Road box culvert and for roadside mowing are ready and will go out this week. KAS has provided the technical specifications for landfill capping and that bid will also go out.

Mr. Chrostowsky has prepared a personal work plan for the month. He would like the board to look it over and prioritize tasks.

**5. Townline Road:**

Chairman Metcalfe asked what the board wanted to do about Jim Gulley's Townline Road petition. He stated that the town had responded to the petition within 72 hours, as required, but that now specifics were required.

Ms. Morse said that she believes the town must do something about the situation because the raising of the road created a lip at Mr. Gulley's driveway which was not there before the road work. This has caused an access problem for him. Highway foreman Ron Daniels told her that the problem could be addressed by taking the road down a little bit where it intersects with the driveway, but he was not sure how much it could be taken down.

Neither Ms. Morse nor Ms. Mellinger felt that the visibility problem described by Mr. Gulley should be addressed by the town. Jim Mead stated that Mr. Daniels should decide how to solve the problem and the board should leave the action to him. Chairman Metcalfe asked Mr. Mead to check with Mr. Daniels as to what he specifically wants to do, then report to Mr. Chrostowsky, who will draft a letter to Mr. Gulley for board members to sign.

## **6. Town Landfill/Solid Waste Discussion:**

Chairman Metcalfe recapped previous discussion on solid waste disposal and asked how the board wants to proceed. Mr. Fagerholm stated that, given the relatively low costs of \$60-\$80 per household in taxes currently needed to fund solid waste disposal, he does not think it is worth it to change to a pay-as-you-throw (PAYT) system.

**Mr. Fagerholm made motion to leave the town's current solid waste disposal system as it is for the next year. Mr. Mead seconded.**

Ms. Mellinger said that, while she understands Mr. Fagerholm's point, she thinks it is unfair that the current system benefits heavy users, while those who hire private haulers still pay the taxes to fund it. Costs are currently 10% of the town budget, not an insignificant percentage, and are likely to go up as tonnage increases. In addition, the town still has to pay for landfill capping.

Ms. Mellinger has heard from some town residents that \$1.50 per bag would be a reasonable charge. She feels PAYT would encourage recycling and make people aware of how much they throw away, and she pointed out that all other towns in the area use PAYT. The problem is with resolving details and getting started.

Mr. Mead said that PAYT might also help pay for landfill monitoring costs. But he felt that the board has so much going on right now that the timing may not be right. Ms. Morse felt that it was important not to get bogged down in details, but to make the decision and work out the details as needed.

Audrey Rutheiser stated that smaller bags should be available as well, since some residents cannot lift large ones when full. There was further discussion among board members on starting out with a sticker fee vs. bag fee, how bags would be distributed, bag sizes, and recycling rates. Chairman Metcalfe repeated Mr. Fagerholm's motion and asked for the board's response.

**The motion to leave the town's current solid waste disposal system as it is for the next year was defeated 2-3-0.**

In light of the vote, Chairman Metcalfe asked when the new system would be implemented and who would do the work of coming up with specifics. Ms. Mellinger said that the solid waste committee will discuss it at their meeting tomorrow night, and the board agreed to put solid waste on the agenda for next week's meeting. Board members also agreed that Ms. Mellinger should report the following recommendations to the solid waste committee: the new system should start out with a \$1.50 per bag PAYT charge, no sticker fee, and no increase in taxes.

## **7. Working Session in Preparation for TAM Act 250 Hearing:**

Chairman Metcalfe stated that the select board will have party status for the upcoming Act 250 hearing. He then reviewed the list of ten Act 250 criteria supplied by Rex Burke of the BCRC, soliciting board response as to which criteria will need to be addressed in the hearing. After discussing the criteria, the board concluded that areas of concern for a majority of board members are dust, traffic, road maintenance, and size and scale of the operation. Ms. Mellinger also expressed concerns about odor, vehicle exhaust, aesthetics, and possible runoff of contaminants. Mr. Fagerholm felt that the increase in traffic would be limited and would not cause problems.

Board members discussed the feasibility of hiring a traffic consultant, and asked Mr. Chrostowsky to get information from officials of two other towns concerning possible candidates and costs. Specific data-gathering tasks on the issues of concern were assigned to individual board members and to Mr. Chrostowsky. They will pull together information from other town officers and transfer stations, TAM, Dailey's, and available record and reports. Chairman Metcalfe, Ms. Mellinger, and Mr. Chrostowsky will meet on Thursday to assess the gathered information and decide whether

there should be a special board meeting on Friday or discussion can wait until the regular Monday meeting.

Harvey Rutheiser asked whether the select board had discussed and responded to the residents' petition presented on November 21, 2005. He stated that in his opinion the board is demonstrating indecision and confusion on the Act 250 hearing, and many residents are concerned about how the town will be protected. The petition had asked that attorney Rob Woolmington, an expert on Act 250, be called in to help.

Chairman Metcalfe replied that the petition had not been specifically discussed, but that it is an advisory document, not a directive. He stated that Mr. Woolmington had advised the board that he should not represent them at the hearing, and had further advised against the select, zoning, and planning boards meeting together on this matter, as had been suggested in the petition. Mr. Rutheiser stated that he wants to have the petition on record, and does not feel that the many residents who signed it would consider it duly addressed. Harvey and Audrey Rutheiser both feel that Mr. Woolmington should be present at the hearing even if he is not representing the town.

Chairman Metcalfe next asked the board to address an Act 250 municipal impact questionnaire sent to the town. The document asks whether there is adequate fire protection, police, rescue service, solid waste disposal, and road maintenance with reference to the proposed project. The board decided that there are no deficiencies in any of these areas.

Mike Bidy asked if the board is aware of the impact of the answers to these questions on the Act 250 process. Mr. Chrostowsky noted that specific affirmative responses had been received from the fire and police departments, and that the road department should be asked to respond as well. Chairman Metcalfe said that he will call Mr. Daniels tomorrow and ask about the implications of this question for town road maintenance.

The board decided not to hold an executive session.

**Mr. Fagerholm made motion to adjourn. Ms. Morse seconded. Motion carried 5-0-0. Meeting adjourned at 9:40 PM.**

Respectfully Submitted,

**Susan M. Swasta**