

## MINUTES OF THE SHAFTSBURY SELECT BOARD

JANUARY 26, 2009

COLE HALL

SHAFTSBURY, VERMONT

**Board Present:** Lon McClintock (Chairman), Bill Pennebaker, Karen Mellinger, Wynn Metcalfe, Cinda Morse

**Others Present:** Henri Billow (Treasurer), Larry Johnson, Mitchell Race, Angie Abbateello (Town Lister), Aaron Chrostowsky (Town Administrator), Susan Swasta (Recording Secretary); Judy Stratton (Town Clerk), Jerry Mattison (Town Emergency Director), Jim Meskin (Town Auditor), Joe Vadakin (Fire Chief), Mike Gleason (Bennington Banner); (the last 5 arrived at 6:50 PM)

**1. Call Meeting (Budget Work Session) to Order:**

Chairman Lon McClintock called the budget work session to order at 6:01 PM. Board members will go over the budget until 7:00 PM, when department heads will arrive..

Chairman McClintock stated that Town Clerk Judy Stratton has decided she would like to keep the Town Office open on Fridays. It had been estimated that Friday closing would save \$1640. He suggested a different part of the budget where \$900 could be saved. This would be done by taking recording fees paid by the Town to the Town Clerk out of the budget, and having permit applicants write a check directly to the Town Clerk to cover the fee. If a permit is not approved, the fee would be refunded.

Mr. Metcalfe noted that it had seemed last week that Ms. Stratton was willing to close the office on Fridays. He asked what had happened to change that. Chairman McClintock replied that she had had second thoughts, and had said that Shaftsbury residents are used to the office being open five days.

Mr. Chrostowsky said that he had discussed the possibility of capping the Town Clerk's health insurance benefit with Ms. Stratton, and that she had said she would be willing to contribute. Ms. Morse felt that the same policy should apply to everyone. There was discussion of whether there is a difference because this is an elected position. Mr. Pennebaker noted the expanding cost of insurance and said he would like to see a cap system for overall health benefits. Mr. Metcalfe stated that it is not good to have major policy discussions at the last minute. Chairman McClintock said that the recording fee savings of \$900 helps a little bit. Ms. Mellinger noted that Ms. Stratton gets called on a lot, and the Friday closing would not save that much. All agreed to make the \$900 cut.

Chairman McClintock raised the issue of calcium chloride, stating that Road Foreman Ron Daniels told him they will be asking for a big expense in the future if they cut it. He had asked Mr. Daniels what he would cut from the highway budget to pay for more chloride. Mr. Chrostowsky reported that Mr. Daniels told him he would cut \$10,000 in gravel, \$9000 in subcontractor costs, and take money out of capital improvements. The \$9000 cut would be for roadside mowing, which the highway department would do with its own tractor and mower. Ms. Morse and Mr. Metcalfe noted that there had been problems getting mowing done when it wasn't contracted out.

There was discussion of where else in the highway budget funds could be cut and used for chloride. Mr. Metcalfe recommended reducing the paving line item #215 from \$15,000 to \$10,000 and using that for chloride, which would bring the total up to \$17,000. Chairman McClintock stated that one application of chloride to high-traffic gravel roads would cost \$10,348. All agreed on the paving cut to be applied to chloride. Mr. Chrostowsky said that Mr. Daniels had expressed concern that the highway department budget is getting a lot of cuts, and feels there should be a 5% budget cut across the board.

**Ms. Mellinger made motion to cut allocations 5% across the board. Mr. Pennebaker seconded.**

Ms. Mellinger stated that this cut would reduce the overall budget by \$2600, so it does not amount to much for each line item. Mr. Metcalfe asked if the libraries are aware that the Town level-funded them, and was told by Mr. Chrostowsky that they are. Mitchell Race said everything should be cut by 5% and taxes should be level funded. Chairman McClintock stated that they are basing the budget on a 15% cut in state funds, which is their best guess. Mr. Race asked if taxes will go down if all funds are received. Treasurer Henri Billow replied this would be subtracted before they set the tax rate. Mr. Pennebaker said there may be some savings in Cole Hall fuel costs and suggested cutting \$1000. Chairman McClintock stated that they need to finish discussion on cutting appropriations.

**Motion to cut allocations 5% across the board carried 3-2-0. (Mr. Metcalfe, Ms. Mellinger and Chairman McClintock for, Ms. Morse and Mr. Pennebaker opposed.)**

There was a brief discussion of when to go out to bid for fuel oil and diesel. Ms. Morse said that they need to finish the budget discussion and not nickel and dime everything. Chairman McClintock reported that Zoning Administrator Tony Zazzaro thinks that if there is to be a 25% reduction in his hours, as recommended last week, it should be now, while things are slow. This would bring a \$1000 deficit reduction for this year. All agreed to reduce the hours now.

Chairman McClintock recommended that they vote on the budget after talking with department heads. He closed the budget work session and asked for public comments. There were none. The regular Select Board meeting was called to order at 6:59 PM.

**2. Announcements:**

Chairman McClintock distributed information from Rep. Alice Miller on the types of projects to be funded by economic stimulus money. \$200 million was expected, but it may be as high as \$500 million. The funds will be made available as competitive grants and community block grants. Chairman McClintock stated that department heads should begin thinking about projects, because towns that anticipate will be at an advantage. Ms. Morse pointed out that if matching funds are required for grants they will need to allocate for that.

Chairman McClintock noted that grant funds may pay for 75% of the Town's water project. Mr. Chrostowsky said that some towns are putting language on their ballots to permit bonding in anticipation of stimulus money. There was discussion of whether there is enough time to get public support for bonding. Ms. Morse suggested that they pick the top two or three Town projects that are ready to go and put information in the paper in order to get public support for allocating a certain amount of money contingent on Federal funds coming in.

Mr. Pennebaker said that the Town web site is almost ready. He needs help updating information that is out of date.

Chairman McClintock announced that tomorrow's 7:00 PM Planning Commission meeting will be the last public hearing on the Town Plan to be held by the Planning Commission.

**3. Conflict of Interest Statement:**

Chairman McClintock asked if any Board member has a conflict of interest with any topic on tonight's agenda. None did.

**4. Public Comments:**

Town Auditor Jim Meskin reported that the auditors' budget will be \$400 less than last year, and that he can get the Town Report published for \$1000 less than last year. Mr. Meskin passed out copies of the Town Report cover to Select Board members. They thanked him.

**5. Emergency Management Update:**

Emergency Management Director Jerry Mattison distributed an updated emergency response plan. He said that the Board needs to adopt the plan, which is required for state emergency management grants.

**Ms. Morse made motion to adopt the Vermont Emergency Response Plan. Mr. Pennebaker seconded.**

Mr. Chrostowsky stated that the cover page should have the Town Administrator as contact person rather than just the Select Board chairman. He pointed out a spelling error and email address change. There was a brief discussion of trainings for Board members.

### **Motion to adopt the Vermont Emergency Response Plan as amended carried 5-0-0.**

#### **6. Proposed Budget Hearing:**

Town Clerk Judy Stratton came to the table for discussion. Chairman McClintock informed her that the Board had decided to maintain the same health insurance benefits for her position, and to keep the Town Office open five days a week. He said that this will be partially offset by having permit recording fees paid directly to her. Chairman McClintock asked if Ms. Stratton is willing to sell transfer station access permits, and she said that she is, but wants there to be a system for accounting for the fees.

Town Lister Angie Abbatello stated that she really has nothing to say about the budget. She just wants the money to go back into the Reappraisal Fund when available. Chairman McClintock told her that \$15,000 will be put in the fund next year.

Fire Chief Joe Vadakin said he has no issues; that his budget is basically what he asked for. He reported that the truck pump repair cost \$9,045. This was \$965 less than expected. There was a discussion of where funds that come in from billing insurance companies for reimbursement are to be allocated. Chief Vadakin said the money is to go into a separate account, outside of the regular Equipment Fund, and allowed to build up. He wrote the reimbursement ordinance with that in mind, but now has found out that the money has been going into the General Fund, and not being tracked.

Chairman McClintock said that he has no problem with earmarking monies for a reserve fund, but the Board has to look at all the pieces of the budget when deciding how much to put in reserve funds. Ms. Morse said they should be able to track the reimbursement funds even if they are used for other purposes. Mr. Metcalfe asked Chief Vadakin to get them the numbers on the reimbursements. Ms. Morse said a correction can be made at the end of the year if necessary.

Chief Vadakin said that the budget line item for fire truck fuel does not match his numbers from his logs. After a brief discussion, Ms. Morse asked him to give them his figures so they can make sure the budget numbers add up and make a correction.

Ms. Mellinger asked if Glastenbury is served by the fire department. Chief Vadakin replied that they cover structure fires there. Glastenbury does not pay Shaftsbury for fire services. Ms. Mellinger noted that they get other Town services at no charge as well.

Ms. Mellinger asked if the constable budget should be increased. She described a situation with a dumped bag of trash, and wondered if the constables should deal with it. Mr. Metcalfe replied that the Board needs to decide who deals with enforcement issues. In this case, he thinks the State Police should have been called.

#### **7. Proposed Budget Adoption:**

The total budget is \$1,507,080.00, which represents a 1.38% increase. Total revenues are \$267,926.00, assuming a 15% state funding cut. Taxes are \$1,239,155.00, which represents a 4.25% increase.

### **Ms. Morse made motion to approve the budget. Mr. Pennebaker seconded. Motion carried 5-0-0.**

Chairman McClintock thanked Board members for a lot of hard work.

#### **8. Budget Notes:**

Chairman McClintock said that he and Mr. Chrostowsky are working on the budget notes.

#### **9. Select Board Report:**

Chairman McClintock will get a draft to Board members to be approved on Monday.

#### **10. Town Plan Update:**

Mr. Chrostowsky asked how the Board wants to handle Town Plan approval. He stated that the Vermont League of Cities and Towns (VLCT) says if voters authorized voting on the Plan by Australian ballot, the Select Board may not approve it. Although it has been done by Australian ballot in the past, there is no record that voters specifically authorized that it has to be done this way. Mr. Chrostowsky said that the two VLCT people have differing opinions as to whether the past ballot vote sets a precedent. Mr. Metcalfe recommended that Town Attorney Rob Woolmington be consulted.

#### **10. Town Meeting Warning:**

Mr. Chrostowsky stated that Board members have received a copy of the warning. Ms. Mellinger noted that appropriations have to be changed. Mr. Chrostowsky asked if they want to add Town Plan language. Ms. Morse asked if they need something in Town Meeting materials to give the Select Board the authority to meet and approve the Town Plan. Chairman McClintock said that voters may not give the Board authority on the floor. Ms. Morse suggested putting it on the ballot.

**Ms. Morse made motion to put language on the ballot to allow the Select Board, going forward, to adopt the Town Plan. Mr. Pennebaker seconded.**

**Ms. Mellinger amended the motion to state that the permission apply only to this Town Plan approval. There was no second.**

Chairman McClintock noted that if they put it on the ballot and it fails, they will have to hold a special election. If they wait to hear from Mr. Woolmington, there may be other options.

**Ms. Morse made motion to table her motion to put language on the ballot to allow the Select Board, going forward, to adopt the Town Plan. Mr. Pennebaker seconded. Motion to table carried 5-0-0.**

#### **11. Sidewalk Update:**

Ms. Mellinger reported that she expects the project to go out to bid in late winter or early spring. The Board needs to approve inspection documents. She wants to wait to approve the contract amendment until she negotiates with the contractor.

**Ms. Morse made motion to approve the inspection documents Ms. Mellinger seconded.**

Chairman McClintock asked what inspection costs will be. Since this is unclear, Ms. Morse withdrew her motion until more information is available.

#### **12. Review and Approve Meeting Minutes:**

January 12, 2009 Select Board minutes

**Mr. Pennebaker made motion to approve January 12 minutes. Ms. Mellinger seconded. Motion carried 4-0-1. (Ms. Morse abstained because she had not been present.)**

January 19, 2009 Select Board minutes

Approval of January 19 minutes was postponed because not all Board members had read them.

#### **13. Review and Approve Warrants::**

The following warrants were presented for approval:

Payroll Warrant PR#30:                 \$ 5,604.09

**Ms. Morse made motion to pay PR Warrant #30. Ms. Mellinger seconded. Motion carried 5-0-0.**

General Warrant AP#31:                 \$31,229.24

**Ms. Morse made motion to pay AP Warrant #31. Ms. Mellinger seconded. Motion carried 5-0-0.**

#### **14. Other Business:**

There was a brief discussion of Robert's Rules of Order. Mr. Metcalfe stated that on three occasions a Board member had made a motion which was not recognized by the Chairman. He said that any motion placed on the floor is to be discussed. Chairman McClintock said that he had heard from Mr. Metcalfe when first becoming chairman that motions should not be made on matters not on the meeting agenda. He said it is possible for a motion to be out of order.

Chairman McClintock commended the Highway Department and Foreman Ron Daniels for holding overtime down and staying within budget.

Ms. Morse said that they had discussed putting something on the ballot as to whether the Town transfer station should be closed. Ms. Mellinger and Mr. Metcalfe felt that there is not time enough for this. Chairman McClintock suggested putting together a questionnaire to get residents' opinions on a number of topics, as was done last year.

Mr. Metcalfe stated that he hopes the Board will keep track of some of the topics that came up during the budget process, such as health insurance, the transfer station, and when to bid for fuel oil. They need to discuss these issues.

Board members agreed to meet every week in February.

**Ms. Mellinger made motion to adjourn. Ms. Morse seconded.**

**The meeting adjourned at 9:10 PM.**

Respectfully Submitted,

Susan Swasta