

SHAFTSBURY SELECTBOARD  
SPECIAL MEETING  
NOVEMBER 28, 2011  
MINUTES

ATTENDING: **Board Members present:** Lon McClintock, Karen Mellinger, Bill Pennebaker, Craig Bruder, Carl Korman. Town Officials: Margy Becker, Town Administrator. Guest: Mike Foley, Todd Moyer, Trevor Mance, Jim Secor, Jay Palmer, David Mance, Phylis Porio, Mitchell Race, Chris Williams, Jennifer Viereck, Valerie Shemeth, Art Whitman, Bob Paulin, Brian Lent, Norm Gronning, Joanne Race, Jeri Schoof, Robert Geneslaw, and Kathleen Geneslaw.

**WATER BOARD MEETING  
NOVEMBER 28, 2011**

**1. Call to order**

Chair Karen Mellinger called the meeting to order at 7:00pm.

**2. Announcements**

Karen Mellinger announced that the Water Superintendent would be meeting with the staff from NEMRC on Tuesday at 10am.

**3. Public Comments**

No comments made.

**4. Conflict of Interest Statement**

Chair Karen Mellinger if any Board member had a conflict of interest with any matter on the agenda. No conflict noted.

**5. Warrants**

CHECK WARRANT #W19 IN THE AMOUNT OF \$32,670.39 WHICH INCLUDES BOND PAYMENTS OF \$14,060.60.

**Lon McClintock made the motion to approve check warrant #W9 in the amount \$14,060.60. Carl Korman seconded. Motion carried unanimously.**

**6. Other Business**

None

**7. Adjournment**

**Bill Pennebaker made the motion to adjourn at 7:05pm. Craig Bruder seconded. Motion carried unanimously.**

**SELECT BOARD MEETING  
NOVEMBER 28, 2011**

**1. Call to Order**

Chairman McClintock called the meeting to order at 7:05pm.

**2. Announcements**

Karen Mellinger announced the Christmas tree lighting would be Sunday at 4:00pm with singing and music.

The PTO is having a potluck dinner at the Shaftsbury School December 13<sup>th</sup> from 5:00 to 5:45pm.

Margy Becker informed the Board that the Regional Planning Commission will have a holiday gathering on December 15<sup>th</sup>.

The North Bennington School District will be holding a meeting on November 30<sup>th</sup> to discuss becoming an independent school.

There will be a composting lecture on Thursday, Dec. 1<sup>st</sup>.

**3. Public Comments**

Mike Foley voiced his concern with the moratorium recommended by the Planning Commission. Mike Foley asked what the purpose of the Board is and what the by-laws are concerning composting.

Lon McClintock stated that the Planning Commission will propose by-laws that go to the Select Board and a public hearing to be decided upon.

**4. Conflict of Interest Statement**

Chairman McClintock inquired if any Board member had a conflict of interest with any matter on the agenda. Carl Korman had a conflict with item 14, check warrant #21.

**5. Proposed Zoning Amendments**

**A. Sign Ordinance**

Art Whitman of the Economic Development Committee held a special meeting to discuss the ordinance. Several hours were spent reviewing the revisions. Art Whitman would like to have a meeting with the Planning Commission to discuss the revisions further.

Art Whitman informed the Board that Paulin's sent a letter to the Economic Development Committee concerning a survey they had a professional do in regards to the size of signs and their visibility to drivers.

Trevor Mance stated that the ordinance does not allow ones business to advertise another business on their site. In this rural area this helps small business survive. Trevor Mance of TAM, stated that the directional sign on North Road is not big enough to fit everything on there that is need. A two square feet sign is not big enough.

David Mance suggested clarification on one side or two sided signs and the size allowed.

Valerie Shemeth stated that sect 3.1.10 was vague on clear and unobstructed view. Some small businesses of signage of the main road and they need this to survive.

Jennifer Viereck commented that the 2 square feet signage was not workable for out of home business, if driving by the sign may not be seen.

**Bill Pennebaker made the motion to send the sign ordinance back to the Planning Commission. Craig Bruder seconded. Motion carried unanimously.**

B. Adaptive Reuse of Motel Properties

Todd Moyer stated that the allowance to use existing water supply and wastewater disposal in the reuse of motel properties will help greatly to adapt the properties.

**Craig Bruder made the motion to accept Adaptive Reuse of Motel Properties. Bill Pennebaker seconded. Motion carried unanimously.**

C. Open Space Subdivision

Jay Palmer discussed the natural resources provision for waste water and water supply and the notification to abutting landowners.

Kathleen Geneslaw commented that isolation zones going onto an abutting neighbors land should be redone.

Jim Secor stated that they do try to keep isolated zones on the property if possible.

Dave Mance stated that isolations zones still have some limited use.

Mitchell Race stated that the size of the lots could change. If it is a large lot subdivision with open space minimize the unit subdivision.

The Town will seek legal advice on this matter.

D. Home Occupations in Rural Residential Districts

Phylis Porio suggested deleting existing out buildings in item #3.

Dave Mance commented that parking and deliveries create problems with in home business.

This will go back to the Planning Commission.

E. Special Regulations: fencing, plantings, etc. in Highway ROW

There is a State Ordinance that has been in effect for years.

Bill Pennebaker stated that existing fences or plantings, if they create a problem the Town can ask them to remove it.

**Craig Bruder made the motion to adopt the Special Regulations. Bill seconded.**

The Board discussed amendments to the regulations.

**Craig Bruder made the motion to withdraw motion on the table. Carl seconded.**

**Motion carried unanimously.**

Special Regulations tabled.

**6. Grand List Errors and Omissions**

Tabled.

**7. Current Year Budget Status Reports**

Tabled.

**8. FY13 Budget-Health Insurance**

Karen Mellinger distributed hand-outs to the Board Members comparing health plans. The Board discussed the plans that are available. Karen Mellinger recommended staying with Blue Cross. **Craig Bruder made the motion to renew the current Blue Cross plan. Carl Korman seconded. Motion carried unanimously.**

**9. TAM Host Town Agreement**

Trevor Mance of TAM discussed the agreement with the Board, stating that there may be some housekeeping issues. Bill Pennebaker will set up a meeting with Trevor Mance to discuss the agreement line by line.

**10. Addition of Sunderland to Regional ISWAP**

**Bill Pennebaker made the motion that there are no objections to Sunderland joining the Regional ISWAP. Carl Korman seconded. Motion carried unanimously.**

**11. Town Administrator Report**

Margy Becker informed the Board of the agreement with FEMA. The agreement allows for the process of worksheets. The FEMA limits have changed from 75% to 90%.

**Carl Korman made the motion to change the 75% to 90% on the agreement. Karen Mellinger seconded. Motion carried unanimously.**

**Carl Korman made the motion to approve the signing of the agreement as amended. Karen Mellinger seconded. Motion carried unanimously.**

**12. Other Business**

A reminder will be sent to Board Members concerning the Saturday meeting.

**13. Approval of Minutes**

**Karen Mellinger made the motion to approve the minutes for November 7, 2001 with amendments to item #5. Craig Bruder seconded. Motion carried unanimously.**

**Karen Mellinger made the motion to approve the minutes for November 10. Carl Korman seconded. Motion carried unanimously.**

**Karen Mellinger made the motion to approve the minutes for November 15 with amendments to item #4. Carl Korman seconded. Motion carried unanimously.**

#### **14. Approval of Warrants**

RETIREMENT WARRANT #W17R IN THE AMOUNT OF \$129.87.

**Craig Bruder made the motion to approve Retirement Warrant #W17R in the amount of \$129.87. Carl Korman seconded. Motion carried unanimously.**

CHECK WARRANT W18 IN THE AMOUNT OF \$3,422,003.59.

**Craig Bruder made the motion to approve check warrant #W18 in the amount of \$3,422,003.59. Karen Mellinger seconded. Motion carried unanimously.**

CHECK WARRANT #W19 IN THE AMOUNT OF \$32,670.39.

**Carl Korman made the motion to approve check warrant #W19 in the amount of \$32,670.39. Craig Bruder seconded. Motion carried unanimously.**

CHECK WARRANT #W20 IN THE AMOUNT OF \$5,871.14.

**Karen Mellinger made the motion to approve check warrant #W20 in the amount of \$5,871.14. Carl Korman seconded. Motion carried unanimously.**

CHECK WARRANT #W21 IN THE AMOUNT OF \$2,665.93.

**Karen Mellinger made the motion to approve check warrant #W21 in the amount of \$2,665.93. Bill Pennebaker seconded. Motion carried 4-0-4 with Carl Korman abstaining.**

PAYROLL WARRANT PR#19 IN THE AMOUNT OF \$6,525.98.

**Karen Mellinger made the motion to approve payroll warrant PR#19 in the amount of \$6,525.98. Bill Pennebaker seconded. Motion carried unanimously.**

PAYROLL WARRANT PR#20 IN THE AMOUNT OF \$6195.00.

**Karen Mellinger made the motion to approve payroll warrant PR#20 in the amount of \$6,195.00. Carl Korman seconded. Motion carried unanimously.**

PAYROLL WARRANT PR#21 IN THE AMOUNT OF \$9,561.39.

**Karen Mellinger made the motion to approve payroll warrant PR#21 in the amount of \$9,561.39. Carl Korman seconded. Motion carried unanimously.**

CHECK WARRANT #W22 IN THE AMOUNT OF \$125.00.

**Karen Mellinger made the motion to approve check warrant #W22 in the amount of \$125.00. Carl Korman seconded. Motion carried unanimously.**

#### **15. Adjournment**

**Carl Korman made the motion to adjourn at 10:25 pm. Craig Bruder seconded. Motion carried unanimously.**

Submitted by  
Carol MacLean

